

109TH CONGRESS  
2D SESSION

# H. R. 6344

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## AN ACT

To reauthorize the Office of National Drug Control Policy  
Act.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE, REFERENCE, AND TABLE OF**  
 2 **CONTENTS.**

3 (a) SHORT TITLE.—This Act may be cited as the  
 4 “Office of National Drug Control Policy Reauthorization  
 5 Act of 2006”.

6 (b) AMENDMENT OF OFFICE OF NATIONAL DRUG  
 7 CONTROL POLICY REAUTHORIZATION ACT OF 1998.—Ex-  
 8 cept as otherwise expressly provided, whenever in this Act  
 9 an amendment or repeal is expressed in terms of an  
 10 amendment to, or repeal of, a section or other provision,  
 11 the reference shall be considered to be made to a section  
 12 or other provision of the Office of National Drug Control  
 13 Policy Reauthorization Act of 1998 (Public Law 105–277;  
 14 21 U.S.C. 1701 et seq.).

15 (c) TABLE OF CONTENTS.—The table of contents for  
 16 this Act is as follows:

Sec. 1. Short title, reference, and table of contents.

**TITLE I—ORGANIZATION OF OFFICE OF NATIONAL DRUG  
 CONTROL POLICY AND ROLES AND RESPONSIBILITIES**

Sec. 101. Amendments to definitions.  
 Sec. 102. Establishment of the Office of National Drug Control Policy.  
 Sec. 103. Appointment and responsibilities of the Director.  
 Sec. 104. Amendments to ensure coordination with other agencies.  
 Sec. 105. Budgetary matters.

**TITLE II—THE NATIONAL DRUG CONTROL STRATEGY**

Sec. 201. Annual preparation and submission of National Drug Control Strat-  
 egy.  
 Sec. 202. Performance measurements.  
 Sec. 203. Annual report requirement.

**TITLE III—HIGH INTENSITY DRUG TRAFFICKING AREAS**

Sec. 301. High Intensity Drug Trafficking Areas Program.  
 Sec. 302. Funding for certain high intensity drug trafficking areas.

Sec. 303. Assessment.

#### TITLE IV—TECHNOLOGY

Sec. 401. Counterdrug Technology Assessment Center.

#### TITLE V—NATIONAL YOUTH MEDIA CAMPAIGN

Sec. 501. National Youth Anti-Drug Media Campaign.

#### TITLE VI—AUTHORIZATIONS AND EXTENSION OF TERMINATION DATE

Sec. 601. Authorization of appropriations.

Sec. 602. Extension of termination date.

#### TITLE VII—ANTI-DOPING AGENCY

Sec. 701. Designation of United States Anti-Doping Agency.

Sec. 702. Records, audit, and report.

Sec. 703. Authorization of appropriations.

#### TITLE VIII—DRUG-FREE COMMUNITIES

Sec. 801. Reauthorization.

Sec. 802. Suspension of grants.

Sec. 803. Grant award increase.

Sec. 804. Prohibition on additional eligibility criteria.

Sec. 805. National Community Anti-Drug Coalition Institute.

#### TITLE IX—NATIONAL GUARD COUNTERDRUG SCHOOLS

Sec. 901. National Guard counterdrug schools.

#### TITLE X—NATIONAL METHAMPHETAMINE INFORMATION CLEARINGHOUSE ACT OF 2006

Sec. 1001. Short title.

Sec. 1002. Definitions.

Sec. 1003. Establishment of clearinghouse and advisory council.

Sec. 1004. NMIC requirements and review.

Sec. 1005. Authorization of appropriations.

#### TITLE XI—MISCELLANEOUS PROVISIONS

Sec. 1101. Repeals.

Sec. 1102. Controlled Substances Act amendments.

Sec. 1103. Report on law enforcement intelligence sharing.

Sec. 1104. Requirement for South American heroin strategy.

Sec. 1105. Model acts.

Sec. 1106. Study on iatrogenic addiction associated with prescription opioid analgesic drugs.

Sec. 1107. Requirement for strategy to stop Internet advertising of prescription medicines without a prescription.

Sec. 1108. Requirement for study on diversion and inappropriate uses of prescription drugs.

Sec. 1109. Requirement for Afghan Heroin Strategy.

Sec. 1110. Requirement for Southwest Border Counternarcotics Strategy.

- Sec. 1111. Requirement for Scientific Study of Mycoherbicide in Illicit Drug Crop Eradication.
- Sec. 1112. Requirement for Study of State Precursor Chemical Control Laws.
- Sec. 1113. Requirement for Study of Drug Endangered Children Programs.
- Sec. 1114. Study on drug court hearings in nontraditional places.
- Sec. 1115. Report on tribal Government participation in HIDTA process.
- Sec. 1116. Report on school drug testing.
- Sec. 1117. Report on ONDCP performance bonuses.
- Sec. 1118. Requirement for disclosure of Federal sponsorship of all Federal advertising or other communication materials.
- Sec. 1119. Awards for demonstration programs by local partnerships to coerce abstinence in chronic hard-drug users under community supervision through the use of drug testing and sanctions.
- Sec. 1120. Policy relating to syringe exchange programs.

# 1 **TITLE I—ORGANIZATION OF OF-** 2 **FICE OF NATIONAL DRUG** 3 **CONTROL POLICY AND ROLES** 4 **AND RESPONSIBILITIES**

## 5 **SEC. 101. AMENDMENTS TO DEFINITIONS.**

6 (a) DEMAND REDUCTION.—Section 702(1) is amend-  
 7 ed—

8 (1) in subparagraph (F), by striking “and”  
 9 after the semicolon;

10 (2) in paragraph (G), by striking the period at  
 11 the end and inserting “, including the testing of em-  
 12 ployees;”; and

13 (3) by adding at the end the following:

14 “(H) interventions for drug abuse and de-  
 15 pendence;

16 “(I) international drug control coordina-  
 17 tion and cooperation with respect to activities  
 18 described in this paragraph; and

1           “(J) international drug abuse education,  
2           prevention, treatment, research, rehabilitation  
3           activities, and interventions for drug abuse and  
4           dependence.”.

5           (b) NATIONAL DRUG CONTROL PROGRAM.—Section  
6 702(6) is amended by adding before the period the fol-  
7 lowing: “, including any activities involving supply reduc-  
8 tion, demand reduction, or State, local, and tribal affairs”.

9           (c) PROGRAM CHANGE.—Section 702(7) is amended  
10 by—

11           (1) striking “National Foreign Intelligence Pro-  
12 gram,” and inserting “National Intelligence Pro-  
13 gram,”; and

14           (2) inserting after “Related Activities,” the fol-  
15 lowing: “or (for purposes of section 704(d)) an agen-  
16 cy that is described in section 530C(a) of title 28,  
17 United States Code,”.

18           (d) OFFICE.—Section 702(9) is amended by striking  
19 “implicates” and inserting “indicates”.

20           (e) STATE, LOCAL, AND TRIBAL AFFAIRS.—Para-  
21 graph (10) of section 702 is amended to read as follows:

22           “(10) STATE, LOCAL, AND TRIBAL AFFAIRS.—  
23           The term ‘State, local, and tribal affairs’ means do-  
24           mestic activities conducted by a National Drug Con-

1 trol Program agency that are intended to reduce the  
2 availability and use of illegal drugs, including—

3 “(A) coordination and enhancement of  
4 Federal, State, local, and tribal law enforce-  
5 ment drug control efforts;

6 “(B) coordination and enhancement of ef-  
7 forts among National Drug Control Program  
8 agencies and State, local, and tribal demand re-  
9 duction and supply reduction agencies;

10 “(C) coordination and enhancement of  
11 Federal, State, local, and tribal law enforce-  
12 ment initiatives to gather, analyze, and dissemi-  
13 nate information and law enforcement intel-  
14 ligence relating to drug control among domestic  
15 law enforcement agencies; and

16 “(D) other coordinated and joint initiatives  
17 among Federal, State, local, and tribal agencies  
18 to promote comprehensive drug control strate-  
19 gies designed to reduce the demand for, and the  
20 availability of, illegal drugs.”.

21 (f) SUPPLY REDUCTION.—Section 702(11) is amend-  
22 ed to read as follows:

23 “(11) SUPPLY REDUCTION.—The term ‘supply  
24 reduction’ means any activity or program conducted  
25 by a National Drug Control Program agency that is

1 intended to reduce the availability or use of illegal  
2 drugs in the United States or abroad, including—

3 “(A) law enforcement outside the United  
4 States;

5 “(B) source country programs, including  
6 economic development programs primarily in-  
7 tended to reduce the production or trafficking  
8 of illicit drugs;

9 “(C) activities to control international traf-  
10 ficking in, and availability of, illegal drugs, in-  
11 cluding—

12 “(i) accurate assessment and moni-  
13 toring of international drug production and  
14 interdiction programs and policies; and

15 “(ii) coordination and promotion of  
16 compliance with international treaties re-  
17 lating to the production, transportation, or  
18 interdiction of illegal drugs;

19 “(D) activities to conduct and promote  
20 international law enforcement programs and  
21 policies to reduce the supply of drugs; and

22 “(E) activities to facilitate and enhance the  
23 sharing of domestic and foreign intelligence in-  
24 formation among National Drug Control Pro-  
25 gram agencies, relating to the production and

1 trafficking of drugs in the United States and in  
2 foreign countries.”.

3 (g) DEFINITIONS OF APPROPRIATE CONGRESSIONAL  
4 COMMITTEES AND LAW ENFORCEMENT.—Section 702 is  
5 amended by adding at the end the following:

6 “(12) APPROPRIATE CONGRESSIONAL COMMIT-  
7 TEES.—Except where otherwise provided, the term  
8 ‘appropriate congressional committees’ means the  
9 Committee on the Judiciary, the Committee on Ap-  
10 propriations, and the Caucus on International Nar-  
11 cotics Control of the Senate and the Committee on  
12 Government Reform, the Committee on the Judici-  
13 ary, and the Committee on Appropriations of the  
14 House of Representatives.

15 “(13) LAW ENFORCEMENT.—The term ‘law en-  
16 forcement’ or ‘drug law enforcement’ means all ef-  
17 forts by a Federal, State, local, or tribal government  
18 agency to enforce the drug laws of the United States  
19 or any State, including investigation, arrest, pros-  
20 ecution, and incarceration or other punishments or  
21 penalties.”.

22 **SEC. 102. ESTABLISHMENT OF THE OFFICE OF NATIONAL**  
23 **DRUG CONTROL POLICY.**

24 (a) RESPONSIBILITIES.—Section 703(a) is amended  
25 to read as follows:



1       “(a) ESTABLISHMENT OF OFFICE.—There is estab-  
2       lished in the Executive Office of the President an Office  
3       of National Drug Control Policy, which shall—

4               “(1) develop national drug control policy;

5               “(2) coordinate and oversee the implementation  
6       of the national drug control policy;

7               “(3) assess and certify the adequacy of Na-  
8       tional Drug Control Programs and the budget for  
9       those programs; and

10              “(4) evaluate the effectiveness of the national  
11       drug control policy and the National Drug Control  
12       Program agencies’ programs, by developing and ap-  
13       plying specific goals and performance measure-  
14       ments.”.

15       (b) POSITIONS.—Section 703(b) is amended to read  
16       as follows:

17       “(b) DIRECTOR OF NATIONAL DRUG CONTROL POL-  
18       ICY AND DEPUTY DIRECTORS.—

19              “(1) DIRECTOR.—There shall be a Director of  
20       National Drug Control Policy who shall head the Of-  
21       fice (referred to in this Act as the ‘Director’) and  
22       shall hold the same rank and status as the head of  
23       an executive department listed in section 101 of title  
24       5, United States Code.

1           “(2) DEPUTY DIRECTOR.—There shall be a  
2       Deputy Director of National Drug Control Policy  
3       who shall report directly to the Director (referred to  
4       in this Act as the ‘Deputy Director’).

5           “(3) OTHER DEPUTY DIRECTORS.—

6                 “(A) IN GENERAL.—There shall be a Dep-  
7       uty Director for Demand Reduction, a Deputy  
8       Director for Supply Reduction, and a Deputy  
9       Director for State, Local, and Tribal Affairs.

10                “(B) REPORTING.—The Deputy Director  
11       for Demand Reduction, the Deputy Director for  
12       Supply Reduction, and the Deputy Director for  
13       State, Local, and Tribal Affairs shall report di-  
14       rectly to the Deputy Director of the Office of  
15       National Drug Control Policy.

16                “(C) DEPUTY DIRECTOR FOR DEMAND RE-  
17       DUCTION.—The Deputy Director for Demand  
18       Reduction shall be responsible for the activities  
19       in subparagraphs (A) through (H) of section  
20       702(1).

21                “(D) DEPUTY DIRECTOR FOR SUPPLY RE-  
22       DUCTION.—The Deputy Director for Supply  
23       Reduction shall—

1 “(i) have substantial experience and  
2 expertise in drug interdiction and other  
3 supply reduction activities; and

4 “(ii) be responsible for the activities  
5 in subparagraphs (A) through (C) in sec-  
6 tion 702(11).

7 “(E) DEPUTY DIRECTOR FOR STATE,  
8 LOCAL, AND TRIBAL AFFAIRS.—The Deputy Di-  
9 rector for State, Local, and Tribal Affairs shall  
10 be responsible for the activities—

11 “(i) in subparagraphs (A) through  
12 (D) of section 702(10);

13 “(ii) in section 707, the High Inten-  
14 sity Drug Trafficking Areas Program; and

15 “(iii) in section 708, the Counterdrug  
16 Technology Assessment Center.”.

17 **SEC. 103. APPOINTMENT AND RESPONSIBILITIES OF THE**  
18 **DIRECTOR.**

19 (a) SUCCESSION.—Section 704(a) is amended by  
20 amending paragraph (3) to read as follows:

21 “(3) ACTING DIRECTOR.—If the Director dies,  
22 resigns, or is otherwise unable to perform the func-  
23 tions and duties of the office, the Deputy Director  
24 shall perform the functions and duties of the Direc-  
25 tor temporarily in an acting capacity pursuant to

1 subchapter III of chapter 33 of title 5, United  
2 States Code.”.

3 (b) RESPONSIBILITIES.—Section 704(b) is amend-  
4 ed—

5 (1) in paragraph (4), by striking “Federal de-  
6 partments and agencies engaged in drug enforce-  
7 ment” and inserting “National Drug Control Pro-  
8 gram agencies”;

9 (2) in paragraph (7), by inserting after “Presi-  
10 dent” the following: “and the appropriate congres-  
11 sional committees”;

12 (3) in paragraph (13), by striking “(beginning  
13 in 1999)”;

14 (4) by striking paragraph (14) and inserting  
15 the following:

16 “(14) shall submit to the appropriate congres-  
17 sional committees on an annual basis, not later than  
18 60 days after the date of the last day of the applica-  
19 ble period, a summary of—

20 “(A) each of the evaluations received by  
21 the Director under paragraph (13); and

22 “(B) the progress of each National Drug  
23 Control Program agency toward the drug con-  
24 trol program goals of the agency using the per-

1 formance measures for the agency developed  
2 under section 706(c);”;

3 (5) in paragraph (15), by striking subpara-  
4 graph (C) and inserting the following:

5 “(C) supporting the substance abuse infor-  
6 mation clearinghouse administered by the Ad-  
7 ministrator of the Substance Abuse and Mental  
8 Health Services Administration and established  
9 in section 501(d)(16) of the Public Health  
10 Service Act by—

11 “(i) encouraging all National Drug  
12 Control Program agencies to provide all  
13 appropriate and relevant information; and

14 “(ii) supporting the dissemination of  
15 information to all interested entities;”; and

16 (6) by inserting at the end the following:

17 “(16) shall coordinate with the private sector to  
18 promote private research and development of medi-  
19 cations to treat addiction;

20 “(17) shall seek the support and commitment of  
21 State, local, and tribal officials in the formulation  
22 and implementation of the National Drug Control  
23 Strategy;

24 “(18) shall monitor and evaluate the allocation  
25 of resources among Federal law enforcement agen-

1       cies in response to significant local and regional  
2       drug trafficking and production threats;

3           “(19) shall submit an annual report to Con-  
4       gress detailing how the Office of National Drug  
5       Control Policy has consulted with and assisted State,  
6       local, and tribal governments with respect to the for-  
7       mulation and implementation of the National Drug  
8       Control Strategy and other relevant issues; and

9           “(20) shall, within 1 year after the date of the  
10      enactment of the Office of National Drug Control  
11      Policy Reauthorization Act of 2006, report to Con-  
12      gress on the impact of each Federal drug reduction  
13      strategy upon the availability, addiction rate, use  
14      rate, and other harms of illegal drugs.”.

15      (c) REVIEW AND CERTIFICATION OF NATIONAL  
16      DRUG CONTROL PROGRAM BUDGET.—Section 704(c)(3)  
17      is amended—

18           (1) in subparagraph (C)(iii), by inserting “and  
19      the appropriate congressional committees,” after  
20      “House of Representatives”; and

21           (2) in subparagraph (D)(ii)(II)(bb), by insert-  
22      ing “and the appropriate congressional committees,”  
23      after “House of Representatives”.

24      (d) POWERS OF DIRECTOR.—Section 704(d) is  
25      amended—

1           (1) in paragraph (9), by striking “Strategy;  
2           and” and inserting “Strategy and notify the appro-  
3           priate congressional committees of any fund control  
4           notice issued in accordance with section 704(f)(5);”;  
5           and

6           (2) in paragraph (10), by inserting before the  
7           period the following: “and section 706 of the De-  
8           partment of State Authorization Act for Fiscal Year  
9           2003 (22 U.S.C. 229j-1)”.

10          (e) FUND CONTROL NOTICES.—Section 704(f) is  
11       amended by adding at the end the following:

12               “(4) CONGRESSIONAL NOTICE.—A copy of each  
13               fund control notice shall be transmitted to the ap-  
14               propriate congressional committees.

15               “(5) RESTRICTIONS.—The Director shall not  
16               issue a fund control notice to direct that all or part  
17               of an amount appropriated to the National Drug  
18               Control Program agency account be obligated, modi-  
19               fied, or altered in any manner—

20                       “(A) contrary, in whole or in part, to a  
21                       specific appropriation; or

22                       “(B) contrary, in whole or in part, to the  
23                       expressed intent of Congress.”.

24          (f) DRUG INTERDICTION.—

1 (1) IN GENERAL.—Section 711 is amended by  
2 adding at the end the following:

3 **“SEC. 711. DRUG INTERDICTION COORDINATOR AND COM-**  
4 **MITTEE.**

5 “(a) UNITED STATES INTERDICTION COORDI-  
6 NATOR.—

7 “(1) IN GENERAL.—The United States Inter-  
8 diction Coordinator shall perform the duties of that  
9 position described in paragraph (2) and such other  
10 duties as may be determined by the Director with  
11 respect to coordination of efforts to interdict illicit  
12 drugs from entering the United States.

13 “(2) RESPONSIBILITIES.—The United States  
14 Interdiction Coordinator shall be responsible to the  
15 Director for—

16 “(A) coordinating the interdiction activities  
17 of the National Drug Control Program agencies  
18 to ensure consistency with the National Drug  
19 Control Strategy;

20 “(B) on behalf of the Director, developing  
21 and issuing, on or before March 1 of each year  
22 and in accordance with paragraph (3), a Na-  
23 tional Interdiction Command and Control Plan  
24 to ensure the coordination and consistency de-  
25 scribed in subparagraph (A);



1           “(C) assessing the sufficiency of assets  
2           committed to illicit drug interdiction by the rel-  
3           evant National Drug Control Program agencies;  
4           and

5           “(D) advising the Director on the efforts  
6           of each National Drug Control Program agency  
7           to implement the National Interdiction Com-  
8           mand and Control Plan.

9           “(3) STAFF.—The Director shall assign such  
10          permanent staff of the Office as he considers appro-  
11          priate to assist the United States Interdiction Coor-  
12          dinator to carry out the responsibilities described in  
13          paragraph (2), and may also, at his discretion, re-  
14          quest that appropriate National Drug Control Pro-  
15          gram agencies detail or assign staff to the Office of  
16          Supply Reduction for that purpose.

17          “(4) NATIONAL INTERDICTION COMMAND AND  
18          CONTROL PLAN.—

19          “(A) PURPOSES.—The National Interdic-  
20          tion Command and Control Plan shall—

21                  “(i) set forth the Government’s strat-  
22                  egy for drug interdiction;

23                  “(ii) state the specific roles and re-  
24                  sponsibilities of the relevant National Drug

1 Control Program agencies for imple-  
2 menting that strategy; and

3 “(iii) identify the specific resources re-  
4 quired to enable the relevant National  
5 Drug Control Program agencies to imple-  
6 ment that strategy.

7 “(B) CONSULTATION WITH OTHER AGEN-  
8 CIES.—The United States Interdiction Coordi-  
9 nator shall issue the National Interdiction Com-  
10 mand and Control Plan in consultation with the  
11 other members of the Interdiction Committee  
12 described in subsection (b).

13 “(C) LIMITATION.—The National Interdic-  
14 tion Command and Control Plan shall not  
15 change existing agency authorities or the laws  
16 governing interagency relationships, but may in-  
17 clude recommendations about changes to such  
18 authorities or laws.

19 “(D) REPORT TO CONGRESS.—On or be-  
20 fore March 1 of each year, the United States  
21 Interdiction Coordinator shall provide a report  
22 on behalf of the Director to the appropriate  
23 congressional committees, to the Committee on  
24 Armed Services and the Committee on Home-  
25 land Security of the House of Representatives,

1 and to the Committee on Homeland Security  
2 and Governmental Affairs and the Committee  
3 on Armed Services of the Senate, which shall  
4 include—

5 “(i) a copy of that year’s National  
6 Interdiction Command and Control Plan;

7 “(ii) information for the previous 10  
8 years regarding the number and type of  
9 seizures of drugs by each National Drug  
10 Control Program agency conducting drug  
11 interdiction activities, as well as statistical  
12 information on the geographic areas of  
13 such seizures; and

14 “(iii) information for the previous 10  
15 years regarding the number of air and  
16 maritime patrol hours undertaken by each  
17 National Drug Control Program agency  
18 conducting drug interdiction activities, as  
19 well as statistical information on the geo-  
20 graphic areas in which such patrol hours  
21 took place.

22 “(E) TREATMENT OF CLASSIFIED OR LAW  
23 ENFORCEMENT SENSITIVE INFORMATION.—Any  
24 content of the report described in subparagraph  
25 (D) that involves information classified under

1 criteria established by an Executive order, or  
2 the public disclosure of which, as determined by  
3 the Director, the Director of National Intel-  
4 ligence, or the head of any Federal Government  
5 agency the activities of which are described in  
6 the plan, would be detrimental to the law en-  
7 forcement or national security activities of any  
8 Federal, State, or local agency, shall be pre-  
9 sented to Congress separately from the rest of  
10 the report.

11 “(b) INTERDICTION COMMITTEE.—

12 “(1) IN GENERAL.—The Interdiction Com-  
13 mittee shall meet to—

14 “(A) discuss and resolve issues related to  
15 the coordination, oversight and integration of  
16 international, border, and domestic drug inter-  
17 diction efforts in support of the National Drug  
18 Control Strategy;

19 “(B) review the annual National Interdic-  
20 tion Command and Control Plan, and provide  
21 advice to the Director and the United States  
22 Interdiction Coordinator concerning that plan;  
23 and

24 “(C) provide such other advice to the Di-  
25 rector concerning drug interdiction strategy and

1 policies as the committee determines is appro-  
2 priate.

3 “(2) CHAIRMAN.—The Director shall designate  
4 one of the members of the Interdiction Committee to  
5 serve as chairman.

6 “(3) MEETINGS.—The members of the Interdic-  
7 tion Committee shall meet, in person and not  
8 through any delegate or representative, at least once  
9 per calendar year, prior to March 1. At the call of  
10 either the Director or the current chairman, the  
11 Interdiction Committee may hold additional meet-  
12 ings, which shall be attended by the members either  
13 in person, or through such delegates or representa-  
14 tives as they may choose.

15 “(4) REPORT.—Not later than September 30 of  
16 each year, the chairman of the Interdiction Com-  
17 mittee shall submit a report to the Director and to  
18 the appropriate congressional committees describing  
19 the results of the meetings and any significant find-  
20 ings of the Committee during the previous 12  
21 months. Any content of such a report that involves  
22 information classified under criteria established by  
23 an Executive order, or whose public disclosure, as  
24 determined by the Director, the chairman, or any  
25 member, would be detrimental to the law enforce-

1       ment or national security activities of any Federal,  
2       State, local, or tribal agency, shall be presented to  
3       Congress separately from the rest of the report. by  
4       striking subsection (d) and redesignating subsections  
5       (e), (f), and (g) as subsections (d), (e), and (f), re-  
6       spectively.”.

7               (2) CONFORMING AMENDMENT TO HOMELAND  
8       SECURITY ACT OF 2002.—Section 878 of the Home-  
9       land Security Act of 2002 (6 U.S.C. 458) is amend-  
10      ed—

11               (A) in subsection (c), by striking “Except  
12               as provided in subsection (d), the” and insert-  
13               ing “The”; and

14               (B) by striking subsection (d) and redesign-  
15               nating subsections (e), (f), and (g) as sub-  
16               sections (d), (e), and (f), respectively.

17               (3) TECHNICAL AMENDMENTS.—Section 704  
18       (21 U.S.C. 1703) is amended—

19               (A) by amending subsection (g) to read as  
20       follows:

21       “(g) INAPPLICABILITY TO CERTAIN PROGRAMS.—

22       The provisions of this section shall not apply to the Na-  
23       tional Intelligence Program, the Joint Military Intelligence  
24       Program, and Tactical and Related Activities, unless such

1 program or an element of such program is designated as  
2 a National Drug Control Program—

3 “(1) by the President; or

4 “(2) jointly by—

5 “(A) in the case of the National Intel-  
6 ligence Program, the Director and the Director  
7 of National Intelligence; or

8 “(B) in the case of the Joint Military In-  
9 telligence Program and Tactical and Related  
10 Activities, the Director, the Director of Na-  
11 tional Intelligence, and the Secretary of De-  
12 fense.”; and

13 (B) by amending subsection (h) to read as  
14 follows:

15 “(h) CONSTRUCTION.—Nothing in this Act shall be  
16 construed as derogating the authorities and responsibil-  
17 ities of the Director of National Intelligence or the Direc-  
18 tor of the Central Intelligence Agency contained in the Na-  
19 tional Security Act of 1947 (50 U.S.C. 401 et seq.), the  
20 Central Intelligence Agency Act of 1949 (50 U.S.C. 403a  
21 et seq.), or any other law.”.

22 **SEC. 104. AMENDMENTS TO ENSURE COORDINATION WITH**  
23 **OTHER AGENCIES.**

24 Section 705 is amended—

1           (1) in subsection (a)(1)(A), by striking  
2     “abuse”;

3           (2) in subsection (a)(2)(A), by striking “Direc-  
4     tor of Central Intelligence” and inserting “Director  
5     of National Intelligence”;

6           (3) in subsection (a)(2)(B), by striking “Direc-  
7     tor of Central Intelligence” and inserting “Director  
8     of National Intelligence and the Director of the Cen-  
9     tral Intelligence Agency”;

10          (4) by amending subsection (a)(3) to read as  
11     follows:

12           “(3) REQUIRED REPORTS.—

13                 “(A) SECRETARIES OF THE INTERIOR AND  
14             AGRICULTURE.—Not later than July 1 of each  
15             year, the Secretaries of Agriculture and the In-  
16             terior shall jointly submit to the Director and  
17             the appropriate congressional committees an as-  
18             sessment of the quantity of illegal drug cultiva-  
19             tion and manufacturing in the United States on  
20             lands owned or under the jurisdiction of the  
21             Federal Government for the preceding year.

22                 “(B) SECRETARY OF HOMELAND SECUR-  
23             ITY.—Not later than July 1 of each year, the  
24             Secretary of Homeland Security shall submit to  
25             the Director and the appropriate congressional



1 committees information for the preceding year  
2 regarding—

3 “(i) the number and type of seizures  
4 of drugs by each component of the Depart-  
5 ment of Homeland Security seizing drugs,  
6 as well as statistical information on the ge-  
7 ographic areas of such seizures; and

8 “(ii) the number of air and maritime  
9 patrol hours primarily dedicated to drug  
10 supply reduction missions undertaken by  
11 each component of the Department of  
12 Homeland Security.

13 “(C) SECRETARY OF DEFENSE.—The Sec-  
14 retary of Defense shall, by July 1 of each year,  
15 submit to the Director and the appropriate con-  
16 gressional committees information for the pre-  
17 ceding year regarding the number of air and  
18 maritime patrol hours primarily dedicated to  
19 drug supply reduction missions undertaken by  
20 each component of the Department of Defense.

21 “(D) ATTORNEY GENERAL.—The Attorney  
22 General shall, by July 1 of each year, submit to  
23 the Director and the appropriate congressional  
24 committees information for the preceding year  
25 regarding the number and type of—

1 “(i) arrests for drug violations;  
 2 “(ii) prosecutions for drug violations  
 3 by United States Attorneys; and  
 4 “(iii) seizures of drugs by each com-  
 5 ponent of the Department of Justice seiz-  
 6 ing drugs, as well as statistical information  
 7 on the geographic areas of such seizures.”;  
 8 (5) in subsection (b)(2)(B), by striking “Pro-  
 9 gram” and inserting “Strategy”; and  
 10 (6) in subsection (c), by striking “in” and in-  
 11 serting “on”.

12 **SEC. 105. BUDGETARY MATTERS.**

13 (a) SUBMISSION OF DRUG CONTROL BUDGET RE-  
 14 QUESTS.—Section 704(c)(1) is amended by adding at the  
 15 end the following:

16 “(C) CONTENT OF DRUG CONTROL BUDG-  
 17 ET REQUESTS.—A drug control budget request  
 18 submitted by a department, agency, or program  
 19 under this paragraph shall include all requests  
 20 for funds for any drug control activity under-  
 21 taken by that department, agency, or program,  
 22 including demand reduction, supply reduction,  
 23 and State, local, and tribal affairs, including  
 24 any drug law enforcement activities. If an activ-  
 25 ity has both drug control and nondrug control

1 purposes or applications, the department, agen-  
2 cy, or program shall estimate by a documented  
3 calculation the total funds requested for that  
4 activity that would be used for drug control,  
5 and shall set forth in its request the basis and  
6 method for making the estimate.”.

7 (b) NATIONAL DRUG CONTROL BUDGET PRO-  
8 POSAL.—

9 (1) NATIONAL ORGANIZATIONS.—Section  
10 704(c)(2) is amended by inserting “and the head of  
11 each major national organization that represents law  
12 enforcement officers, agencies, or associations” after  
13 “agency”.

14 (2) TOTAL BUDGET.—Section 704(c)(2)(A) is  
15 amended by inserting before the semicolon: “and to  
16 inform Congress and the public about the total  
17 amount proposed to be spent on all supply reduction,  
18 demand reduction, State, local, and tribal affairs, in-  
19 cluding any drug law enforcement, and other drug  
20 control activities by the Federal Government, which  
21 shall conform to the content requirements set forth  
22 in paragraph (1)(C)”.

23 (c) REVIEW AND CERTIFICATION OF NATIONAL  
24 DRUG CONTROL PROGRAM BUDGET.—Section 704(c)(3)  
25 is amended—

1           (1) by redesignating subparagraphs (C) and  
2           (D) as subparagraphs (D) and (E), respectively;

3           (2) by inserting after subparagraph (B) the fol-  
4           lowing new subparagraph:

5                   “(C) SPECIFIC REQUESTS.—The Director  
6           shall not confirm the adequacy of any budget  
7           request that—

8                           “(i) requests funding for Federal law  
9                           enforcement activities that do not ade-  
10                          quately compensate for transfers of drug  
11                          enforcement resources and personnel to  
12                          law enforcement and investigation activi-  
13                          ties;

14                           “(ii) requests funding for law enforce-  
15                          ment activities on the borders of the  
16                          United States that do not adequately di-  
17                          rect resources to drug interdiction and en-  
18                          forcement;

19                           “(iii) requests funding for drug treat-  
20                          ment activities that do not provide ade-  
21                          quate results and accountability measures;

22                           “(iv) requests funding for any activi-  
23                          ties of the Safe and Drug-Free Schools  
24                          Program that do not include a clear anti-

1 drug message or purpose intended to re-  
2 duce drug use;

3 “(v) requests funding for drug treat-  
4 ment activities that do not adequately sup-  
5 port and enhance Federal drug treatment  
6 programs and capacity;

7 “(vi) requests funding for fiscal year  
8 2007 for activities of the Department of  
9 Education, unless it is accompanied by a  
10 report setting forth a plan for providing  
11 expedited consideration of student loan ap-  
12 plications for all individuals who submitted  
13 an application for any Federal grant, loan,  
14 or work assistance that was rejected or de-  
15 nied pursuant to 484(r)(1) of the Higher  
16 Education Act of 1965 (20 U.S.C.  
17 1091(r)(1)) by reason of a conviction for a  
18 drug-related offense not occurring during a  
19 period of enrollment for which the indi-  
20 vidual was receiving any Federal grant,  
21 loan, or work assistance; and

22 “(vii) requests funding for the oper-  
23 ations and management of the Department  
24 of Homeland Security that does not in-  
25 clude a specific request for funds for the

1 Office of Counternarcotics Enforcement to  
2 carry out its responsibilities under section  
3 878 of the Homeland Security Act of 2002  
4 (6 U.S.C. 458).”;

5 (3) in subparagraph (D)(iii), as so redesignated,  
6 nated, by inserting “and the appropriate congressional  
7 committees” after “House of Representatives”; and  
8

9 (4) in subparagraph (E)(ii)(II)(bb), as so redesignated,  
10 nated, by inserting “and the appropriate congressional  
11 committees” after “House of Representatives”.  
12

13 (d) REPROGRAMMING AND TRANSFER REQUESTS.—  
14 Section 704(c)(4)(A) (21 U.S.C. 1703(c)(4)(A)) is amended—  
15 ed—

16 (1) by striking “\$5,000,000” and inserting  
17 “\$1,000,000”; and

18 (2) adding at the end the following: “If the Director  
19 has not responded to a request for reprogramming  
20 subject to this subparagraph within 30 days  
21 after receiving notice of the request having been  
22 made, the request shall be deemed approved by the  
23 Director under this subparagraph and forwarded to  
24 Congress.”.

1 (e) POWERS OF DIRECTOR.—Section 704(d) is  
2 amended—

3 (1) in paragraph (8)(D), by striking “have been  
4 authorized by Congress;” and inserting “authorized  
5 by law;”;

6 (2) in paragraph (9), by striking “Strategy;  
7 and” and inserting “Strategy and notify the appro-  
8 priate congressional committees of any fund control  
9 notice issued; and”; and

10 (3) in paragraph (10), by striking “(22 U.S.C.  
11 2291j).” and inserting “(22 U.S.C. 2291j) and sec-  
12 tion 706 of the Foreign Relations Authorization Act,  
13 Fiscal Year 2003 (22 U.S.C. 2291j–1).”.

14 (f) FUND CONTROL NOTICES.—Section 704(f) (21  
15 U.S.C. 1703(f)) is amended by adding at the end the fol-  
16 lowing:

17 “(4) CONGRESSIONAL NOTICE.—A copy of each  
18 fund control notice shall be transmitted to the ap-  
19 propriate congressional committees.

20 “(5) RESTRICTIONS.—The Director shall not  
21 issue a fund control notice to direct that all or part  
22 of an amount appropriated to the National Drug  
23 Control Program agency account be obligated, modi-  
24 fied, or altered in any manner contrary, in whole or  
25 in part, to a specific appropriation or statute.”.

1     **TITLE II—THE NATIONAL DRUG**  
2                     **CONTROL STRATEGY**

3     **SEC. 201. ANNUAL PREPARATION AND SUBMISSION OF NA-**  
4                     **TIONAL DRUG CONTROL STRATEGY.**

5             Section 706 is amended to read as follows:

6     **“SEC. 706. DEVELOPMENT, SUBMISSION, IMPLEMENTATION,**  
7                     **AND ASSESSMENT OF NATIONAL DRUG CON-**  
8                     **TROL STRATEGY.**

9             “(a) TIMING, CONTENTS, AND PROCESS FOR DEVEL-  
10     OPMENT AND SUBMISSION OF NATIONAL DRUG CONTROL  
11     STRATEGY.—

12             “(1) TIMING.—Not later than February 1 of  
13     each year, the President shall submit to Congress a  
14     National Drug Control Strategy, which shall set  
15     forth a comprehensive plan for the year to reduce il-  
16     licit drug use and the consequences of such illicit  
17     drug use in the United States by limiting the avail-  
18     ability of, and reducing the demand for, illegal  
19     drugs.

20             “(2) CONTENTS.—

21             “(A) IN GENERAL.—The National Drug  
22     Control Strategy submitted under paragraph  
23     (1) shall include the following:

24             “(i) Comprehensive, research-based,  
25     long-range, quantifiable goals for reducing



1 illicit drug use and the consequences of il-  
2 licit drug use in the United States.

3 “(ii) Annual quantifiable and measur-  
4 able objectives and specific targets to ac-  
5 complish long-term quantifiable goals that  
6 the Director determines may be achieved  
7 during each year beginning on the date on  
8 which the National Drug Control Strategy  
9 is submitted.

10 “(iii) A 5-year projection for program  
11 and budget priorities.

12 “(iv) A review of international, State,  
13 local, and private sector drug control ac-  
14 tivities to ensure that the United States  
15 pursues coordinated and effective drug  
16 control at all levels of government.

17 “(v) An assessment of current illicit  
18 drug use (including inhalants and steroids)  
19 and availability, impact of illicit drug use,  
20 and treatment availability, which assess-  
21 ment shall include—

22 “(I) estimates of drug prevalence  
23 and frequency of use as measured by  
24 national, State, and local surveys of il-  
25 licit drug use and by other special

1 studies of nondependent and depend-  
2 ent illicit drug use;

3 “(II) illicit drug use in the work-  
4 place and the productivity lost by such  
5 use; and

6 “(III) illicit drug use by  
7 arrestees, probationers, and parolees.

8 “(vi) An assessment of the reduction  
9 of illicit drug availability, as measured  
10 by—

11 “(I) the quantities of cocaine,  
12 heroin, marijuana, methamphetamine,  
13 ecstasy, and other drugs available for  
14 consumption in the United States;

15 “(II) the amount of marijuana,  
16 cocaine, heroin, methamphetamine, ec-  
17stasy, and precursor chemicals and  
18 other drugs entering the United  
19 States;

20 “(III) the number of illicit drug  
21 manufacturing laboratories seized and  
22 destroyed and the number of hectares  
23 of marijuana, poppy, and coca cul-  
24 tivated and destroyed domestically  
25 and in other countries;

1 “(IV) the number of metric tons  
2 of marijuana, heroin, cocaine, and  
3 methamphetamine seized and other  
4 drugs; and

5 “(V) changes in the price and  
6 purity of heroin, methamphetamine,  
7 and cocaine, changes in the price of  
8 ecstasy, and changes in  
9 tetrahydrocannabinol level of mari-  
10 juana and other drugs.

11 “(vii) An assessment of the reduction  
12 of the consequences of illicit drug use and  
13 availability, which shall include—

14 “(I) the burden illicit drug users  
15 placed on hospital emergency depart-  
16 ments in the United States, such as  
17 the quantity of illicit drug-related  
18 services provided;

19 “(II) the annual national health  
20 care cost of illicit drug use; and

21 “(III) the extent of illicit drug-  
22 related crime and criminal activity.

23 “(viii) A determination of the status  
24 of drug treatment in the United States, by  
25 assessing—

1 “(I) public and private treatment  
2 utilization; and

3 “(II) the number of illicit drug  
4 users the Director estimates meet di-  
5 agnostic criteria for treatment.

6 “(ix) A review of the research agenda  
7 of the Counterdrug Technology Assessment  
8 Center to reduce the availability and abuse  
9 of drugs.

10 “(x) A summary of the efforts made  
11 to coordinate with private sector entities to  
12 conduct private research and development  
13 of medications to treat addiction by—

14 “(I) screening chemicals for po-  
15 tential therapeutic value;

16 “(II) developing promising com-  
17 pounds;

18 “(III) conducting clinical trials;

19 “(IV) seeking Food and Drug  
20 Administration approval for drugs to  
21 treat addiction;

22 “(V) marketing the drug for the  
23 treatment of addiction;

1                   “(VI) urging physicians to use  
2                   the drug in the treatment of addic-  
3                   tion; and

4                   “(VII) encouraging insurance  
5                   companies to reimburse the cost of  
6                   the drug for the treatment of addic-  
7                   tion.

8                   “(xi) An assessment of Federal effec-  
9                   tiveness in achieving the National Drug  
10                  Control Strategy for the previous year, in-  
11                  cluding a specific evaluation of whether the  
12                  objectives and targets for reducing illicit  
13                  drug use for the previous year were met  
14                  and reasons for the success or failure of  
15                  the previous year’s Strategy.

16                  “(xii) A general review of the status  
17                  of, and trends in, demand reduction activi-  
18                  ties by private sector entities and commu-  
19                  nity-based organizations, including faith-  
20                  based organizations, to determine their ef-  
21                  fectiveness and the extent of cooperation,  
22                  coordination, and mutual support between  
23                  such entities and organizations and Fed-  
24                  eral, State, local, and tribal government  
25                  agencies.

1           “(xiii) Such additional statistical data  
2           and information as the Director considers  
3           appropriate to demonstrate and assess  
4           trends relating to illicit drug use, the ef-  
5           fects and consequences of illicit drug use  
6           (including the effects on children of sub-  
7           stance abusers), supply reduction, demand  
8           reduction, drug-related law enforcement,  
9           and the implementation of the National  
10          Drug Control Strategy.

11          “(xiv) A supplement reviewing the ac-  
12          tivities of each individual National Drug  
13          Control Program agency during the pre-  
14          vious year with respect to the National  
15          Drug Control Strategy and the Director’s  
16          assessment of the progress of each Na-  
17          tional Drug Control Program agency in  
18          meeting its responsibilities under the Na-  
19          tional Drug Control Strategy.

20          “(B) CLASSIFIED INFORMATION.—Any  
21          contents of the National Drug Control Strategy  
22          that involve information properly classified  
23          under criteria established by an Executive order  
24          shall be presented to Congress separately from  
25          the rest of the National Drug Control Strategy.

1           “(C) SELECTION OF DATA AND INFORMA-  
2           TION.—In selecting data and information for  
3           inclusion under subparagraph (A), the Director  
4           shall ensure—

5                   “(i) the inclusion of data and informa-  
6                   tion that will permit analysis of current  
7                   trends against previously compiled data  
8                   and information where the Director be-  
9                   lieves such analysis enhances long-term as-  
10                  sessment of the National Drug Control  
11                  Strategy; and

12                   “(ii) the inclusion of data and infor-  
13                   mation to permit a standardized and uni-  
14                   form assessment of the effectiveness of  
15                   drug treatment programs in the United  
16                  States.

17           “(3) PROCESS FOR DEVELOPMENT AND SUB-  
18           MISSION.—In developing and effectively imple-  
19           menting the National Drug Control Strategy, the  
20           Director—

21                   “(A) shall consult with—

22                           “(i) the heads of the National Drug  
23                           Control Program agencies;

24                           “(ii) Congress;

25                           “(iii) State, local, and tribal officials;

1           “(iv) private citizens and organiza-  
2           tions, including community and faith-based  
3           organizations with experience and expertise  
4           in demand reduction;

5           “(v) private citizens and organizations  
6           with experience and expertise in supply re-  
7           duction; and

8           “(vi) appropriate representatives of  
9           foreign governments;

10          “(B) in satisfying the requirements of sub-  
11          paragraph (A), shall ensure, to the maximum  
12          extent possible, that State, local, and tribal offi-  
13          cials and relevant private organizations commit  
14          to support and take steps to achieve the goals  
15          and objectives of the National Drug Control  
16          Strategy;

17          “(C) with the concurrence of the Attorney  
18          General, may require the El Paso Intelligence  
19          Center to undertake specific tasks or projects to  
20          support or implement the National Drug Con-  
21          trol Strategy; and

22          “(D) with the concurrence of the Director  
23          of National Intelligence and the Attorney Gen-  
24          eral, may request that the National Drug Intel-  
25          ligence Center undertake specific tasks or



1 projects to support or implement the National  
2 Drug Control Strategy.

3 “(b) SUBMISSION OF REVISED STRATEGY.—The  
4 President may submit to Congress a revised National  
5 Drug Control Strategy that meets the requirements of this  
6 section—

7 “(1) at any time, upon a determination of the  
8 President, in consultation with the Director, that the  
9 National Drug Control Strategy in effect is not suf-  
10 ficiently effective; or

11 “(2) if a new President or Director takes of-  
12 fice.”.

13 **SEC. 202. PERFORMANCE MEASUREMENTS.**

14 Section 706 is amended by adding at the end the fol-  
15 lowing:

16 “(c) PERFORMANCE MEASUREMENT SYSTEM.—Not  
17 later than February 1 of each year, the Director shall sub-  
18 mit to Congress as part of the National Drug Control  
19 Strategy, a description of a national drug control perform-  
20 ance measurement system, that—

21 “(1) develops 2-year and 5-year performance  
22 measures and targets for each National Drug Con-  
23 trol Strategy goal and objective established for re-  
24 ducing drug use, availability, and the consequences  
25 of drug use;

1           “(2) describes the sources of information and  
2           data that will be used for each performance measure  
3           incorporated into the performance measurement sys-  
4           tem;

5           “(3) identifies major programs and activities of  
6           the National Drug Control Program agencies that  
7           support the goals and annual objectives of the Na-  
8           tional Drug Control Strategy;

9           “(4) evaluates the contribution of demand re-  
10          duction and supply reduction activities as defined in  
11          section 702 implemented by each National Drug  
12          Control Program agency in support of the National  
13          Drug Control Strategy;

14          “(5) monitors consistency between the drug-re-  
15          lated goals and objectives of the National Drug Con-  
16          trol Program agencies and ensures that each agen-  
17          cy’s goals and budgets support and are fully con-  
18          sistent with the National Drug Control Strategy;  
19          and

20          “(6) coordinates the development and imple-  
21          mentation of national drug control data collection  
22          and reporting systems to support policy formulation  
23          and performance measurement, including an assess-  
24          ment of—

1           “(A) the quality of current drug use meas-  
2           urement instruments and techniques to measure  
3           supply reduction and demand reduction activi-  
4           ties;

5           “(B) the adequacy of the coverage of exist-  
6           ing national drug use measurement instruments  
7           and techniques to measure the illicit drug user  
8           population, and groups that are at risk for il-  
9           licit drug use;

10          “(C) the adequacy of the coverage of exist-  
11          ing national treatment outcome monitoring sys-  
12          tems to measure the effectiveness of drug abuse  
13          treatment in reducing illicit drug use and crimi-  
14          nal behavior during and after the completion of  
15          substance abuse treatment; and

16          “(D) the actions the Director shall take to  
17          correct any deficiencies and limitations identi-  
18          fied pursuant to subparagraphs (A) and (B) of  
19          this subsection.

20          “(d) MODIFICATIONS.—A description of any modi-  
21          fications made during the preceding year to the national  
22          drug performance measurement system described in sub-  
23          section (c) shall be included in each report submitted  
24          under subsection (b).”.

1 **SEC. 203. ANNUAL REPORT REQUIREMENT.**

2 (a) IN GENERAL.—On or before February 1 of each  
3 year, the Director shall submit a report to Congress that  
4 describes—

5 (1) the strategy of the national media campaign  
6 and whether specific objectives of the campaign were  
7 accomplished;

8 (2) steps taken to ensure that the national  
9 media campaign operates in an effective and effi-  
10 cient manner consistent with the overall strategy  
11 and focus of the campaign;

12 (3) plans to purchase advertising time and  
13 space;

14 (4) policies and practices implemented to ensure  
15 that Federal funds are used responsibly to purchase  
16 advertising time and space and eliminate the poten-  
17 tial for waste, fraud, and abuse;

18 (5) all contracts entered into with a corpora-  
19 tion, partnership, or individual working on behalf of  
20 the national media campaign;

21 (6) specific policies and steps implemented to  
22 ensure compliance with title IV of this Act;

23 (7) steps taken to ensure that the national  
24 media campaign will secure, to the maximum extent  
25 possible, no cost matches of advertising time and  
26 space or in-kind contributions that are directly re-

1       lated to the campaign in accordance with title IV of  
2       this Act; and

3               (8) a review and evaluation of the effectiveness  
4       of the national media campaign strategy for the past  
5       year.

6       (b) AUDIT.—The Government Accountability Office  
7       shall, at a frequency of not less than once per year—

8               (1) conduct and supervise an audit and inves-  
9       tigation relating to the programs and operations of  
10      the—

11                       (A) Office; or

12                       (B) certain programs within the Office, in-  
13      cluding—

14                               (i) the High Intensity Drug Traf-  
15                               ficking Areas Program;

16                               (ii) the Counterdrug Technology As-  
17                               sessment Center; or

18                               (iii) the National Youth Anti-drug  
19                               Media Campaign; and

20               (2) provide the Director and the appropriate  
21      congressional committees with a report containing  
22      an evaluation of and recommendations on the—

23                       (A) policies and activities of the programs  
24                       and operations subject to the audit and inves-  
25                       tigation;

1 (B) economy, efficiency, and effectiveness  
 2 in the administration of the reviewed programs  
 3 and operations; and

4 (C) policy or management changes needed  
 5 to prevent and detect fraud and abuse in such  
 6 programs and operations.

7 **TITLE III—HIGH INTENSITY**  
 8 **DRUG TRAFFICKING AREAS**

9 **SEC. 301. HIGH INTENSITY DRUG TRAFFICKING AREAS**  
 10 **PROGRAM.**

11 Section 707 is amended to read as follows:

12 **“SEC. 707. HIGH INTENSITY DRUG TRAFFICKING AREAS**  
 13 **PROGRAM.**

14 “(a) ESTABLISHMENT.—

15 “(1) IN GENERAL.—There is established in the  
 16 Office a program to be known as the High Intensity  
 17 Drug Trafficking Areas Program (in this section re-  
 18 ferred to as the ‘Program’).

19 “(2) PURPOSE.—The purpose of the Program  
 20 is to reduce drug trafficking and drug production in  
 21 the United States by—

22 “(A) facilitating cooperation among Fed-  
 23 eral, State, local, and tribal law enforcement  
 24 agencies to share information and implement  
 25 coordinated enforcement activities;

1           “(B) enhancing law enforcement intel-  
2           ligence sharing among Federal, State, local, and  
3           tribal law enforcement agencies;

4           “(C) providing reliable law enforcement in-  
5           telligence to law enforcement agencies needed to  
6           design effective enforcement strategies and op-  
7           erations; and

8           “(D) supporting coordinated law enforce-  
9           ment strategies which maximize use of available  
10          resources to reduce the supply of illegal drugs  
11          in designated areas and in the United States as  
12          a whole.

13       “(b) DESIGNATION.—

14           “(1) IN GENERAL.—The Director, in consulta-  
15          tion with the Attorney General, the Secretary of the  
16          Treasury, the Secretary of Homeland Security,  
17          heads of the National Drug Control Program agen-  
18          cies, and the Governor of each applicable State, may  
19          designate any specified area of the United States as  
20          a high intensity drug trafficking area.

21           “(2) ACTIVITIES.—After making a designation  
22          under paragraph (1) and in order to provide Federal  
23          assistance to the area so designated, the Director  
24          may—

1           “(A) obligate such sums as are appro-  
2           priated for the Program;

3           “(B) direct the temporary reassignment of  
4           Federal personnel to such area, subject to the  
5           approval of the head of the department or agen-  
6           cy that employs such personnel;

7           “(C) take any other action authorized  
8           under section 704 to provide increased Federal  
9           assistance to those areas; and

10          “(D) coordinate activities under this sec-  
11          tion (specifically administrative, recordkeeping,  
12          and funds management activities) with State,  
13          local, and tribal officials.

14          “(c) PETITIONS FOR DESIGNATION.—The Director  
15          shall establish regulations under which a coalition of inter-  
16          ested law enforcement agencies from an area may petition  
17          for designation as a high intensity drug trafficking area.  
18          Such regulations shall provide for a regular review by the  
19          Director of the petition, including a recommendation re-  
20          garding the merit of the petition to the Director by a panel  
21          of qualified, independent experts.

22          “(d) FACTORS FOR CONSIDERATION.—In considering  
23          whether to designate an area under this section as a high  
24          intensity drug trafficking area, the Director shall consider,



1 in addition to such other criteria as the Director considers  
2 to be appropriate, the extent to which—

3 “(1) the area is a significant center of illegal  
4 drug production, manufacturing, importation, or dis-  
5 tribution;

6 “(2) State, local, and tribal law enforcement  
7 agencies have committed resources to respond to the  
8 drug trafficking problem in the area, thereby indi-  
9 cating a determination to respond aggressively to the  
10 problem;

11 “(3) drug-related activities in the area are hav-  
12 ing a significant harmful impact in the area, and in  
13 other areas of the country; and

14 “(4) a significant increase in allocation of Fed-  
15 eral resources is necessary to respond adequately to  
16 drug-related activities in the area.

17 “(e) ORGANIZATION OF HIGH INTENSITY DRUG  
18 TRAFFICKING AREAS.—

19 “(1) EXECUTIVE BOARD AND OFFICERS.—To  
20 be eligible for funds appropriated under this section,  
21 each high intensity drug trafficking area shall be  
22 governed by an Executive Board. The Executive  
23 Board shall designate a chairman, vice chairman,  
24 and any other officers to the Executive Board that  
25 it determines are necessary.

1           “(2) RESPONSIBILITIES.—The Executive Board  
2 of a high intensity drug trafficking area shall be re-  
3 sponsible for—

4                   “(A) providing direction and oversight in  
5 establishing and achieving the goals of the high  
6 intensity drug trafficking area;

7                   “(B) managing the funds of the high in-  
8 tensity drug trafficking area;

9                   “(C) reviewing and approving all funding  
10 proposals consistent with the overall objective of  
11 the high intensity drug trafficking area; and

12                   “(D) reviewing and approving all reports  
13 to the Director on the activities of the high in-  
14 tensity drug trafficking area.

15           “(3) BOARD REPRESENTATION.—None of the  
16 funds appropriated under this section may be ex-  
17 pended for any high intensity drug trafficking area,  
18 or for a partnership or region of a high intensity  
19 drug trafficking area, if the Executive Board for  
20 such area, region, or partnership, does not apportion  
21 an equal number of votes between representatives of  
22 participating Federal agencies and representatives of  
23 participating State, local, and tribal agencies. Where  
24 it is impractical for an equal number of representa-  
25 tives of Federal agencies and State, local, and tribal

1 agencies to attend a meeting of an Executive Board  
2 in person, the Executive Board may use a system of  
3 proxy votes or weighted votes to achieve the voting  
4 balance required by this paragraph.

5 “(4) NO AGENCY RELATIONSHIP.—The eligi-  
6 bility requirements of this section are intended to  
7 ensure the responsible use of Federal funds. Nothing  
8 in this section is intended to create an agency rela-  
9 tionship between individual high intensity drug traf-  
10 ficking areas and the Federal Government.

11 “(f) USE OF FUNDS.—The Director shall ensure that  
12 no Federal funds appropriated for the Program are ex-  
13 pended for the establishment or expansion of drug treat-  
14 ment programs, and shall ensure that not more than 5  
15 percent of the Federal funds appropriated for the Pro-  
16 gram are expended for the establishment of drug preven-  
17 tion programs.

18 “(g) COUNTERTERRORISM ACTIVITIES.—

19 “(1) ASSISTANCE AUTHORIZED.—The Director  
20 may authorize use of resources available for the Pro-  
21 gram to assist Federal, State, local, and tribal law  
22 enforcement agencies in investigations and activities  
23 related to terrorism and prevention of terrorism, es-  
24 pecially but not exclusively with respect to such in-

1       vestigations and activities that are also related to  
2       drug trafficking.

3           “(2) LIMITATION.—The Director shall ensure—

4                   “(A) that assistance provided under para-  
5                   graph (1) remains incidental to the purpose of  
6                   the Program to reduce drug availability and  
7                   carry out drug-related law enforcement activi-  
8                   ties; and

9                   “(B) that significant resources of the Pro-  
10                  gram are not redirected to activities exclusively  
11                  related to terrorism, except on a temporary  
12                  basis under extraordinary circumstances, as de-  
13                  termined by the Director.

14          “(h) ROLE OF DRUG ENFORCEMENT ADMINISTRA-  
15          TION.—The Director, in consultation with the Attorney  
16          General, shall ensure that a representative of the Drug  
17          Enforcement Administration is included in the Intelligence  
18          Support Center for each high intensity drug trafficking  
19          area.

20          “(i) ANNUAL HIDTA PROGRAM BUDGET SUBMIS-  
21          SIONS.—As part of the documentation that supports the  
22          President’s annual budget request for the Office, the Di-  
23          rector shall submit to Congress a budget justification that  
24          includes—

1           “(1) the amount proposed for each high inten-  
2           sity drug trafficking area, conditional upon a review  
3           by the Office of the request submitted by the  
4           HIDTA and the performance of the HIDTA, with  
5           supporting narrative descriptions and rationale for  
6           each request;

7           “(2) a detailed justification that explains—

8                   “(A) the reasons for the proposed funding  
9                   level; how such funding level was determined  
10                  based on a current assessment of the drug traf-  
11                  ficking threat in each high intensity drug traf-  
12                  ficking area;

13                  “(B) how such funding will ensure that the  
14                  goals and objectives of each such area will be  
15                  achieved; and

16                  “(C) how such funding supports the Na-  
17                  tional Drug Control Strategy; and

18           “(3) the amount of HIDTA funds used to in-  
19           vestigate and prosecute organizations and individ-  
20           uals trafficking in methamphetamine in the prior  
21           calendar year, and a description of how those funds  
22           were used.

23           “(j) EMERGING THREAT RESPONSE FUND.—

24                   “(1) IN GENERAL.—Subject to the availability  
25           of appropriations, the Director may expend up to 10

1 percent of the amounts appropriated under this sec-  
2 tion on a discretionary basis, to respond to any  
3 emerging drug trafficking threat in an existing high  
4 intensity drug trafficking area, or to establish a new  
5 high intensity drug trafficking area or expand an ex-  
6 isting high intensity drug trafficking area, in accord-  
7 ance with the criteria established under paragraph  
8 (2).

9 “(2) CONSIDERATION OF IMPACT.—In allo-  
10 cating funds under this subsection, the Director  
11 shall consider—

12 “(A) the impact of activities funded on re-  
13 ducing overall drug traffic in the United States,  
14 or minimizing the probability that an emerging  
15 drug trafficking threat will spread to other  
16 areas of the United States; and

17 “(B) such other criteria as the Director  
18 considers appropriate.

19 “(k) EVALUATION.—

20 “(1) INITIAL REPORT.—Not later than 90 days  
21 after the date of the enactment of this section, the  
22 Director shall, after consulting with the Executive  
23 Boards of each designated high intensity drug traf-  
24 ficking area, submit a report to Congress that de-

1 scribes, for each designated high intensity drug traf-  
2 ficking area—

3 “(A) the specific purposes for the high in-  
4 tensity drug trafficking area;

5 “(B) the specific long-term and short-term  
6 goals and objectives for the high intensity drug  
7 trafficking area;

8 “(C) the measurements that will be used to  
9 evaluate the performance of the high intensity  
10 drug trafficking area in achieving the long-term  
11 and short-term goals; and

12 “(D) the reporting requirements needed to  
13 evaluate the performance of the high intensity  
14 drug trafficking area in achieving the long-term  
15 and short-term goals.

16 “(2) EVALUATION OF HIDTA PROGRAM AS PART  
17 OF NATIONAL DRUG CONTROL STRATEGY.—For each  
18 designated high intensity drug trafficking area, the  
19 Director shall submit, as part of the annual National  
20 Drug Control Strategy report, a report that—

21 “(A) describes—

22 “(i) the specific purposes for the high  
23 intensity drug trafficking area; and

1 “(ii) the specific long-term and short-  
2 term goals and objectives for the high in-  
3 tensity drug trafficking area; and

4 “(B) includes an evaluation of the per-  
5 formance of the high intensity drug trafficking  
6 area in accomplishing the specific long-term  
7 and short-term goals and objectives identified  
8 under paragraph (1)(B).

9 “(1) ASSESSMENT OF DRUG ENFORCEMENT TASK  
10 FORCES IN HIGH INTENSITY DRUG TRAFFICKING  
11 AREAS.—Not later than 1 year after the date of enact-  
12 ment of this subsection, and as part of each subsequent  
13 annual National Drug Control Strategy report, the Direc-  
14 tor shall submit to Congress a report—

15 “(1) assessing the number and operation of all  
16 federally funded drug enforcement task forces within  
17 each high intensity drug trafficking area; and

18 “(2) describing—

19 “(A) each Federal, State, local, and tribal  
20 drug enforcement task force operating in the  
21 high intensity drug trafficking area;

22 “(B) how such task forces coordinate with  
23 each other, with any high intensity drug traf-  
24 ficking area task force, and with investigations



1 receiving funds from the Organized Crime and  
2 Drug Enforcement Task Force;

3 “(C) what steps, if any, each such task  
4 force takes to share information regarding drug  
5 trafficking and drug production with other fed-  
6 erally funded drug enforcement task forces in  
7 the high intensity drug trafficking area;

8 “(D) the role of the high intensity drug  
9 trafficking area in coordinating the sharing of  
10 such information among task forces;

11 “(E) the nature and extent of cooperation  
12 by each Federal, State, local, and tribal partici-  
13 pant in ensuring that such information is  
14 shared among law enforcement agencies and  
15 with the high intensity drug trafficking area;

16 “(F) the nature and extent to which infor-  
17 mation sharing and enforcement activities are  
18 coordinated with joint terrorism task forces in  
19 the high intensity drug trafficking area; and

20 “(G) any recommendations for measures  
21 needed to ensure that task force resources are  
22 utilized efficiently and effectively to reduce the  
23 availability of illegal drugs in the high intensity  
24 drug trafficking areas.

1       “(m) ASSESSMENT OF LAW ENFORCEMENT INTEL-  
2       LIGENCE SHARING IN HIGH INTENSITY DRUG TRAF-  
3       FICKING AREAS PROGRAM.—Not later than 180 days  
4       after the date of the enactment of this section, and as part  
5       of each subsequent annual National Drug Control Strat-  
6       egy report, the Director, in consultation with the Director  
7       of National Intelligence, shall submit to Congress a re-  
8       port—

9               “(1) evaluating existing and planned law en-  
10       forcement intelligence systems supported by each  
11       high intensity drug trafficking area, or utilized by  
12       task forces receiving any funding under the Pro-  
13       gram, including the extent to which such systems  
14       ensure access and availability of law enforcement in-  
15       telligence to Federal, State, local, and tribal law en-  
16       forcement agencies within the high intensity drug  
17       trafficking area and outside of it;

18               “(2) the extent to which Federal, State, local,  
19       and tribal law enforcement agencies participating in  
20       each high intensity drug trafficking area are sharing  
21       law enforcement intelligence information to assess  
22       current drug trafficking threats and design appro-  
23       priate enforcement strategies; and

24               “(3) the measures needed to improve effective  
25       sharing of information and law enforcement intel-

1       ligence regarding drug trafficking and drug produc-  
2       tion among Federal, State, local, and tribal law en-  
3       forcement participating in a high intensity drug traf-  
4       ficking area, and between such agencies and similar  
5       agencies outside the high intensity drug trafficking  
6       area.

7       “(n) COORDINATION OF LAW ENFORCEMENT INTEL-  
8       LIGENCE SHARING WITH ORGANIZED CRIME DRUG EN-  
9       FORCEMENT TASK FORCE PROGRAM.—The Director, in  
10      consultation with the Attorney General, shall ensure that  
11      any drug enforcement intelligence obtained by the Intel-  
12      ligence Support Center for each high intensity drug traf-  
13      ficking area is shared, on a timely basis, with the drug  
14      intelligence fusion center operated by the Organized Crime  
15      Drug Enforcement Task Force of the Department of Jus-  
16      tice.

17      “(o) USE OF FUNDS TO COMBAT METHAMPHET-  
18      AMINE TRAFFICKING.—

19               “(1) REQUIREMENT.—As part of the docu-  
20      mentation that supports the President’s annual  
21      budget request for the Office, the Director shall sub-  
22      mit to Congress a report describing the use of  
23      HIDTA funds to investigate and prosecute organiza-  
24      tions and individuals trafficking in methamphet-  
25      amine in the prior calendar year.

1 “(2) CONTENTS.—The report shall include—

2 “(A) the number of methamphetamine  
3 manufacturing facilities discovered through  
4 HIDTA-funded initiatives in the previous fiscal  
5 year;

6 “(B) the amounts of methamphetamine or  
7 listed chemicals (as that term is defined in sec-  
8 tion 102(33) of the Controlled Substances Act  
9 (21 U.S.C. 802(33)) seized by HIDTA-funded  
10 initiatives in the area during the previous year;  
11 and

12 “(C) law enforcement intelligence and pre-  
13 dictive data from the Drug Enforcement Ad-  
14 ministration showing patterns and trends in  
15 abuse, trafficking, and transportation in meth-  
16 amphetamine and listed chemicals.

17 “(3) CERTIFICATION.—Before the Director  
18 awards any funds to a high intensity drug traf-  
19 ficking area, the Director shall certify that the law  
20 enforcement entities participating in that HIDTA  
21 are providing laboratory seizure data to the national  
22 clandestine laboratory database at the El Paso Intel-  
23 ligence Center.

1       “(p) AUTHORIZATION OF APPROPRIATIONS.—There  
2 is authorized to be appropriated to the Office of National  
3 Drug Control Policy to carry out this section—

4               “(1) \$240,000,000 for fiscal year 2007;

5               “(2) \$250,000,000 for fiscal year 2008;

6               “(3) \$260,000,000 for fiscal year 2009;

7               “(4) \$270,000,000 for fiscal year 2010; and

8               “(5) \$280,000,000 for each of fiscal year  
9       2011.”.

10 **SEC. 302. FUNDING FOR CERTAIN HIGH INTENSITY DRUG**  
11 **TRAFFICKING AREAS.**

12       (a) SHORT TITLE.—This section may be cited as the  
13 “Dawson Family Community Protection Act”.

14       (b) FINDINGS.—Congress finds the following:

15               (1) In the early morning hours of October 16,  
16 2002, the home of Carnell and Angela Dawson was  
17 firebombed in apparent retaliation for Mrs.  
18 Dawson’s notification to police about persistent drug  
19 distribution activity in their East Baltimore City  
20 neighborhood.

21               (2) The arson claimed the lives of Mr. and Mrs.  
22 Dawson and their 5 young children, aged 9 to 14.

23               (3) The horrific murder of the Dawson family  
24 is a stark example of domestic narco-terrorism.

1           (4) In all phases of counternarcotics law en-  
2           forcement—from prevention to investigation to pros-  
3           ecution to reentry—the voluntary cooperation of or-  
4           dinary citizens is a critical component.

5           (5) Voluntary cooperation is difficult for law en-  
6           forcement officials to obtain when citizens feel that  
7           cooperation carries the risk of violent retaliation by  
8           illegal drug trafficking organizations and their affili-  
9           ates.

10          (6) Public confidence that law enforcement is  
11          doing all it can to make communities safe is a pre-  
12          requisite for voluntary cooperation among people  
13          who may be subject to intimidation or reprisal (or  
14          both).

15          (7) Witness protection programs are insufficient  
16          on their own to provide security because many indi-  
17          viduals and families who strive every day to make  
18          distressed neighborhoods livable for their children,  
19          other relatives, and neighbors will resist or refuse of-  
20          fers of relocation by local, State, and Federal pros-  
21          ecutorial agencies and because, moreover, the contin-  
22          ued presence of strong individuals and families is  
23          critical to preserving and strengthening the social  
24          fabric in such communities.

1           (8) Where (as in certain sections of Baltimore  
2           City) interstate trafficking of illegal drugs has severe  
3           ancillary local consequences within areas designated  
4           as high intensity drug trafficking areas, it is impor-  
5           tant that supplementary High Intensity Drug Traf-  
6           ficking Areas Program funds be committed to sup-  
7           port initiatives aimed at making the affected com-  
8           munities safe for the residents of those communities  
9           and encouraging their cooperation with tribal, local,  
10          State, and Federal law enforcement efforts to com-  
11          bat illegal drug trafficking.

12          (c) FUNDING FOR CERTAIN HIGH INTENSITY DRUG  
13          TRAFFICKING AREAS.—Section 707, as amended by sec-  
14          tion 301, is amended by adding at the end the following:

15          “(q) SPECIFIC PURPOSES.—

16                 “(1) IN GENERAL.—The Director shall ensure  
17                 that, of the amounts appropriated for a fiscal year  
18                 for the Program, at least \$7,000,000 is used in high  
19                 intensity drug trafficking areas with severe neigh-  
20                 borhood safety and illegal drug distribution prob-  
21                 lems.

22                 “(2) REQUIRED USES.—The funds used under  
23                 paragraph (1) shall be used—

24                         “(A) to ensure the safety of neighborhoods  
25                         and the protection of communities, including

1 the prevention of the intimidation of potential  
2 witnesses of illegal drug distribution and related  
3 activities; and

4 “(B) to combat illegal drug trafficking  
5 through such methods as the Director considers  
6 appropriate, such as establishing or operating  
7 (or both) a toll-free telephone hotline for use by  
8 the public to provide information about illegal  
9 drug-related activities.”.

10 **SEC. 303. ASSESSMENT.**

11 The Director shall assess the ability of the HIDTA  
12 Program to respond to the so-called “balloon effect”,  
13 whereby urban drug traffickers facing intensive law en-  
14 forcement efforts expand and spread their trafficking and  
15 distribution into rural, suburban, and smaller urban areas  
16 by conducting a demonstration project examining the abil-  
17 ity of the New York/New Jersey HIDTA, with its new sin-  
18 gle colocated Organized Crime and Drug Enforcement  
19 Task Force/High Intensity Drug Trafficking Area Strike  
20 Force and HIDTA Regional Intelligence Center, to ad-  
21 dress the movement of drug traffickers into the more  
22 rural, suburban, and smaller areas encompassed by the  
23 counties of Albany, Onondaga, Monroe, and Erie in New  
24 York State and by annexing these counties into the exist-  
25 ing New York/New Jersey HIDTA.



1           **TITLE IV—TECHNOLOGY**

2   **SEC. 401. COUNTERDRUG TECHNOLOGY ASSESSMENT CEN-**  
3                   **TER.**

4           (a) CHIEF SCIENTIST.—Section 708(b) is amended  
5 to read as follows:

6           “(b) CHIEF SCIENTIST.—There shall be at the head  
7 of the Center the Chief Scientist, who shall be appointed  
8 by the Director from among individuals qualified and dis-  
9 tinguished in the area of science, medicine, engineering,  
10 or technology.”.

11          (b) RESPONSIBILITIES.—

12               (1) RESEARCH AND DEVELOPMENT.—Section  
13 708 is amended by—

14                   (A) redesignating subsection (d) as sub-  
15 section (e); and

16                   (B) striking subsection (c) and inserting  
17 the following:

18          “(c) RESEARCH AND DEVELOPMENT RESPONSIBIL-  
19 ITIES.—The Director, acting through the Chief Scientist,  
20 shall—

21               “(1) identify and define the short-, medium-,  
22 and long-term scientific and technological needs of  
23 Federal, State, local, and tribal drug supply reduc-  
24 tion agencies, including—

1           “(A) advanced surveillance, tracking, and  
2           radar imaging;

3           “(B) electronic support measures;

4           “(C) communications;

5           “(D) data fusion, advanced computer sys-  
6           tems, and artificial intelligence; and

7           “(E) chemical, biological, radiological (in-  
8           cluding neutron and electron), and other means  
9           of detection;

10          “(2) identify demand reduction basic and ap-  
11          plied research needs and initiatives, in consultation  
12          with affected National Drug Control Program agen-  
13          cies, including—

14               “(A) improving treatment through  
15               neuroscientific advances;

16               “(B) improving the transfer of biomedical  
17               research to the clinical setting; and

18               “(C) in consultation with the National In-  
19               stitute of Drug Abuse and the Substance Abuse  
20               and Mental Health Services Administration,  
21               and through interagency agreements or grants,  
22               examining addiction and rehabilitation research  
23               and the application of technology to expanding  
24               the effectiveness and availability of drug treat-  
25               ment;

1           “(3) make a priority ranking of such needs  
2           identified in paragraphs (1) and (2) according to fis-  
3           cal and technological feasibility, as part of a Na-  
4           tional Counterdrug Research and Development Pro-  
5           gram;

6           “(4) oversee and coordinate counterdrug tech-  
7           nology initiatives with related activities of other Fed-  
8           eral civilian and military departments;

9           “(5) provide support to the development and  
10          implementation of the national drug control per-  
11          formance measurement system established under  
12          subsection (c) of section 706; and

13          “(6) pursuant to the authority of the Director  
14          of National Drug Control Policy under section 704,  
15          submit requests to Congress for the reprogramming  
16          or transfer of funds appropriated for counterdrug  
17          technology research and development.

18          “(d) LIMITATION ON AUTHORITY.—The authority  
19          granted to the Director under this section shall not extend  
20          to the awarding of contracts, management of individual  
21          projects, or other operational activities.”.

22          (2) ASSISTANCE AND SUPPORT.—Subsection (e)  
23          of section 708, as redesignated by this section, is  
24          amended to read as follows:

1       “(e) ASSISTANCE AND SUPPORT TO THE OFFICE OF  
2 NATIONAL DRUG CONTROL POLICY.—The Secretary of  
3 Defense, the Secretary of Homeland Security, and the  
4 Secretary of Health and Human Services shall, to the  
5 maximum extent practicable, render assistance and sup-  
6 port to the Office and to the Director in the conduct of  
7 counterdrug technology assessment.”.

8           (3) TECHNOLOGY TRANSFER PROGRAM.—Sec-  
9 tion 708 is amended by adding at the end the fol-  
10 lowing:

11       “(f) TECHNOLOGY TRANSFER PROGRAM.—

12           “(1) PROGRAM.—The Chief Scientist, with the  
13 advice and counsel of experts from State, local, and  
14 tribal law enforcement agencies, shall be responsible  
15 to the Director for coordination and implementation  
16 of a counterdrug technology transfer program.

17           “(2) PURPOSE.—The purpose of the Tech-  
18 nology Transfer Program shall be for the  
19 Counterdrug Technology Assessment Center to  
20 transfer technology and associated training directly  
21 to State, local, and tribal law enforcement agencies.

22           “(3) PRIORITY OF RECEIPTS.—Transfers shall  
23 be made in priority order based on—

24           “(A) the need of potential recipients for  
25 such technology;

1           “(B) the effectiveness of the technology to  
2           enhance current counterdrug activities of poten-  
3           tial recipients; and

4           “(C) the ability and willingness of potential  
5           recipients to evaluate transferred technology.

6           “(4) AGREEMENT AUTHORITY.—The Director  
7           may enter into an agreement with the Secretary of  
8           Homeland Security to transfer technology with both  
9           counterdrug and homeland security applications to  
10          State, local, and tribal law enforcement agencies on  
11          a reimbursable basis.

12          “(5) REPORT.—On or before July 1 of each  
13          year, the Director shall submit a report to the ap-  
14          propriate congressional committees that addresses  
15          the following:

16               “(A) The number of requests received dur-  
17               ing the previous 12 months, including the iden-  
18               tity of each requesting agency and the type of  
19               technology requested.

20               “(B) The number of requests fulfilled dur-  
21               ing the previous 12 months, including the iden-  
22               tity of each recipient agency and the type of  
23               technology transferred.

24               “(C) A summary of the criteria used in  
25               making the determination on what requests

1           were funded and what requests were not fund-  
 2           ed, except that such summary shall not include  
 3           specific information on any individual requests.

4           “(D) A general assessment of the future  
 5           needs of the program, based on expected  
 6           changes in threats, expected technologies, and  
 7           likely need from potential recipients.

8           “(E) An assessment of the effectiveness of  
 9           the technologies transferred, based in part on  
 10          the evaluations provided by the recipients, with  
 11          a recommendation whether the technology  
 12          should continue to be offered through the pro-  
 13          gram.”.

14          (c) ASSISTANCE FROM SECRETARY OF HOMELAND  
 15 SECURITY.—Section 708(d) (21 U.S.C. 1707(d)) is  
 16 amended by inserting “, the Secretary of Homeland Secu-  
 17 rity,” after “The Secretary of Defense”.

## 18           **TITLE V—NATIONAL YOUTH** 19           **MEDIA CAMPAIGN**

### 20   **SEC. 501. NATIONAL YOUTH ANTI-DRUG MEDIA CAMPAIGN.**

21          (a) IN GENERAL.—Section 709 (21 U.S.C. 1708) is  
 22 amended to read as follows:

### 23   **“SEC. 709. NATIONAL YOUTH ANTI-DRUG MEDIA CAMPAIGN.**

24          “(a) IN GENERAL.—The Director shall conduct a na-  
 25 tional youth anti-drug media campaign (referred to in this

1 subtitle as the ‘national media campaign’) in accordance  
2 with this section for the purposes of—

3 “(1) preventing drug abuse among young peo-  
4 ple in the United States;

5 “(2) increasing awareness of adults of the im-  
6 pact of drug abuse on young people; and

7 “(3) encouraging parents and other interested  
8 adults to discuss with young people the dangers of  
9 illegal drug use.

10 “(b) USE OF FUNDS.—

11 “(1) IN GENERAL.—Amounts made available to  
12 carry out this section for the national media cam-  
13 paign may only be used for the following:

14 “(A) The purchase of media time and  
15 space, including the strategic planning for, and  
16 accounting of, such purchases.

17 “(B) Creative and talent costs, consistent  
18 with paragraph (2)(A).

19 “(C) Advertising production costs.

20 “(D) Testing and evaluation of advertising.

21 “(E) Evaluation of the effectiveness of the  
22 national media campaign.

23 “(F) The negotiated fees for the winning  
24 bidder on requests for proposals issued either  
25 by the Office or its designee to enter into con-

1           tracts to carry out activities authorized by this  
2           section.

3           “(G) Partnerships with professional and  
4           civic groups, community-based organizations,  
5           including faith-based organizations, and govern-  
6           ment organizations related to the national  
7           media campaign.

8           “(H) Entertainment industry outreach,  
9           interactive outreach, media projects and activi-  
10          ties, public information, news media outreach,  
11          and corporate sponsorship and participation.

12          “(I) Operational and management ex-  
13          penses.

14          “(2) SPECIFIC REQUIREMENTS.—

15          “(A) CREATIVE SERVICES.—

16                 “(i) In using amounts for creative and  
17                 talent costs under paragraph (1)(B), the  
18                 Director shall use creative services donated  
19                 at no cost to the Government (including  
20                 creative services provided by the Partner-  
21                 ship for a Drug-Free America) wherever  
22                 feasible and may only procure creative  
23                 services for advertising—



1                   “(I) responding to high-priority  
2                   or emergent campaign needs that can-  
3                   not timely be obtained at no cost; or

4                   “(II) intended to reach a minor-  
5                   ity, ethnic, or other special audience  
6                   that cannot reasonably be obtained at  
7                   no cost; or

8                   “(III) the Director determines  
9                   that the Partnership for a Drug-Free  
10                  America is unable to provide, pursu-  
11                  ant to subsection (d)(2)(B).

12                  “(ii) Subject to the availability of ap-  
13                  propriations, no more than \$1,500,000  
14                  may be expended under this section each  
15                  fiscal year on creative services, except that  
16                  the Director may expend up to \$2,000,000  
17                  in a fiscal year on creative services to meet  
18                  urgent needs of the national media cam-  
19                  paign with advance approval from the  
20                  Committee on Appropriations of the Sen-  
21                  ate and of the House of Representatives  
22                  upon a showing of the circumstances caus-  
23                  ing such urgent needs of the national  
24                  media campaign.

1           “(B) TESTING AND EVALUATION OF AD-  
2           VERTISING.—In using amounts for testing and  
3           evaluation of advertising under paragraph  
4           (1)(D), the Director shall test all advertise-  
5           ments prior to use in the national media cam-  
6           paign to ensure that the advertisements are ef-  
7           fective and meet industry-accepted standards.  
8           The Director may waive this requirement for  
9           advertisements using no more than 10 percent  
10          of the purchase of advertising time purchased  
11          under this section in a fiscal year and no more  
12          than 10 percent of the advertising space pur-  
13          chased under this section in a fiscal year, if the  
14          advertisements respond to emergent and time-  
15          sensitive campaign needs or the advertisements  
16          will not be widely utilized in the national media  
17          campaign.

18          “(C) EVALUATION OF EFFECTIVENESS OF  
19          MEDIA CAMPAIGN.—In using amounts for the  
20          evaluation of the effectiveness of the national  
21          media campaign under paragraph (1)(E), the  
22          Director shall—

23                 “(i) designate an independent entity  
24                 to evaluate by April 20 of each year the ef-

1           fectiveness of the national media campaign  
2           based on data from—

3                   “(I) the Monitoring the Future  
4                   Study published by the Department of  
5                   Health and Human Services;

6                   “(II) the Attitude Tracking  
7                   Study published by the Partnership  
8                   for a Drug-Free America;

9                   “(III) the National Household  
10                  Survey on Drug Abuse; and

11                  “(IV) other relevant studies or  
12                  publications, as determined by the Di-  
13                  rector, including tracking and evalua-  
14                  tion data collected according to mar-  
15                  keting and advertising industry stand-  
16                  ards; and

17                  “(ii) ensure that the effectiveness of  
18                  the national media campaign is evaluated  
19                  in a manner that enables consideration of  
20                  whether the national media campaign has  
21                  contributed to reduction of illicit drug use  
22                  among youth and such other measures of  
23                  evaluation as the Director determines are  
24                  appropriate.

1           “(3) PURCHASE OF ADVERTISING TIME AND  
2           SPACE.—Subject to the availability of appropria-  
3           tions, for each fiscal year, not less than 77 percent  
4           of the amounts appropriated under this section shall  
5           be used for the purchase of advertising time and  
6           space for the national media campaign, subject to  
7           the following exceptions:

8                   “(A) In any fiscal year for which less than  
9                   \$125,000,000 is appropriated for the national  
10                  media campaign, not less than 72 percent of  
11                  the amounts appropriated under this section  
12                  shall be used for the purchase of advertising  
13                  time and space for the national media cam-  
14                  paign.

15                  “(B) In any fiscal year for which more  
16                  than \$195,000,000 is appropriated under this  
17                  section, not less than 82 percent shall be used  
18                  for advertising production costs and the pur-  
19                  chase of advertising time and space for the na-  
20                  tional media campaign.

21           “(c) ADVERTISING.—In carrying out this section, the  
22           Director shall ensure that sufficient funds are allocated  
23           to meet the stated goals of the national media campaign.

24           “(d) DIVISION OF RESPONSIBILITIES AND FUNC-  
25           TIONS UNDER THE PROGRAM.—

1           “(1) IN GENERAL.—The Director, in consulta-  
2           tion with the Partnership for a Drug-Free America,  
3           shall determine the overall purposes and strategy of  
4           the national media campaign.

5           “(2) RESPONSIBILITIES.—

6           “(A) DIRECTOR.—The Director shall be  
7           responsible for implementing a focused national  
8           media campaign to meet the purposes set forth  
9           in subsection (a), and shall approve—

10                  “(i) the strategy of the national media  
11                  campaign;

12                  “(ii) all advertising and promotional  
13                  material used in the national media cam-  
14                  paign; and

15                  “(iii) the plan for the purchase of ad-  
16                  vertising time and space for the national  
17                  media campaign.

18           “(B) THE PARTNERSHIP FOR A DRUG-  
19           FREE AMERICA.—The Director shall request  
20           that the Partnership for a Drug-Free Amer-  
21           ica—

22                  “(i) develop and recommend strategies  
23                  to achieve the goals of the national media  
24                  campaign, including addressing national  
25                  and local drug threats in specific regions

1 or States, such as methamphetamine and  
2 ecstasy;

3 “(ii) create all advertising to be used  
4 in the national media campaign, except ad-  
5 vertisements that are—

6 “(I) provided by other nonprofit  
7 entities pursuant to subsection (f);

8 “(II) intended to respond to  
9 high-priority or emergent campaign  
10 needs that cannot timely be obtained  
11 at no cost (not including production  
12 costs and talent reuse payments), pro-  
13 vided that any such advertising mate-  
14 rial is reviewed by the Partnership for  
15 a Drug-Free America;

16 “(III) intended to reach a minor-  
17 ity, ethnic, or other special audience  
18 that cannot be obtained at no cost  
19 (not including production costs and  
20 talent reuse payments), provided that  
21 any such advertising material is re-  
22 viewed by the Partnership for a Drug-  
23 Free America; or

24 “(IV) any other advertisements  
25 that the Director determines that the

1 Partnership for a Drug-Free America  
2 is unable to provide or if the Director  
3 determines that another entity is more  
4 appropriate, subject to the require-  
5 ments of subsection (b)(2)(A) .

6 If the Director determines that another entity  
7 is more appropriate under clause (ii)(IV), the  
8 Director shall notify Congress, through the  
9 committees of jurisdiction in the House and  
10 Senate, in writing, not less than 30 days prior  
11 to contracting with a party other than the Part-  
12 nership for a Drug-Free America .

13 “(C) MEDIA BUYING CONTRACTOR.—The  
14 Director shall enter into a contract with a  
15 media buying contractor to plan and purchase  
16 advertising time and space for the national  
17 media campaign. The media buying contractor  
18 shall not provide any other service or material,  
19 or conduct any other function or activity which  
20 the Director determines should be provided by  
21 the Partnership for a Drug-Free America.

22 “(e) PROHIBITIONS.—None of the amounts made  
23 available under subsection (b) may be obligated or ex-  
24 pended for any of the following:

1           “(1) To supplant current anti-drug community-  
2       based coalitions.

3           “(2) To supplant pro bono public service time  
4       donated by national and local broadcasting networks  
5       for other public service campaigns.

6           “(3) For partisan political purposes, or express  
7       advocacy in support of or to defeat any clearly iden-  
8       tified candidate, clearly identified ballot initiative, or  
9       clearly identified legislative or regulatory proposal.

10          “(4) To fund advertising that features any  
11       elected officials, persons seeking elected office, cabi-  
12       net level officials, or other Federal officials employed  
13       pursuant to section 213 of Schedule C of title 5,  
14       Code of Federal Regulations.

15          “(5) To fund advertising that does not contain  
16       a primary message intended to reduce or prevent il-  
17       licit drug use.

18          “(6) To fund advertising containing a primary  
19       message intended to promote support for the media  
20       campaign or private sector contributions to the  
21       media campaign.

22       “(f) MATCHING REQUIREMENT.—

23           “(1) IN GENERAL.—Amounts made available  
24       under subsection (b) for media time and space shall  
25       be matched by an equal amount of non-Federal



1 funds for the national media campaign, or be  
2 matched with in-kind contributions of the same  
3 value.

4 “(2) NO-COST MATCH ADVERTISING DIRECT RE-  
5 LATIONSHIP REQUIREMENT.—The Director shall en-  
6 sure that at least 70 percent of no-cost match adver-  
7 tising provided directly relates to substance abuse  
8 prevention consistent with the specific purposes of  
9 the national media campaign, except that in any fis-  
10 cal year in which less than \$125,000,000 is appro-  
11 priated to the national media campaign, the Director  
12 shall ensure that at least 85 percent of no-cost  
13 match advertising directly relates to substance abuse  
14 prevention consistent with the specific purposes of  
15 the national media campaign.

16 “(3) NO-COST MATCH ADVERTISING NOT DI-  
17 RECTLY RELATED.—The Director shall ensure that  
18 no-cost match advertising that does not directly re-  
19 late to substance abuse prevention consistent with  
20 the purposes of the national media campaign in-  
21 cludes a clear anti-drug message. Such message is  
22 not required to be the primary message of the match  
23 advertising.

24 “(g) FINANCIAL AND PERFORMANCE ACCOUNT-  
25 ABILITY.—The Director shall cause to be performed—

1           “(1) audits and reviews of costs of the national  
2       media campaign pursuant to section 304C of the  
3       Federal Property and Administrative Services Act of  
4       1949 (41 U.S.C. 254d); and

5           “(2) an audit to determine whether the costs of  
6       the national media campaign are allowable under  
7       section 306 of such Act (41 U.S.C. 256).

8       “(h) REPORT TO CONGRESS.—The Director shall  
9       submit on an annual basis a report to Congress that de-  
10      scribes—

11           “(1) the strategy of the national media cam-  
12      paign and whether specific objectives of the media  
13      campaign were accomplished;

14           “(2) steps taken to ensure that the national  
15      media campaign operates in an effective and effi-  
16      cient manner consistent with the overall strategy  
17      and focus of the national media campaign;

18           “(3) plans to purchase advertising time and  
19      space;

20           “(4) policies and practices implemented to en-  
21      sure that Federal funds are used responsibly to pur-  
22      chase advertising time and space and eliminate the  
23      potential for waste, fraud, and abuse; and

1           “(5) all contracts entered into with a corpora-  
2           tion, partnership, or individual working on behalf of  
3           the national media campaign.

4           “(i) LOCAL TARGET REQUIREMENT.—The Director  
5           shall, to the maximum extent feasible, use amounts made  
6           available under this section for media that focuses on, or  
7           includes specific information on, prevention or treatment  
8           resources for consumers within specific local areas.

9           “(j) PREVENTION OF MARIJUANA USE.—

10           “(1) FINDINGS.—The Congress finds the fol-  
11           lowing:

12                   “(A) 60 percent of adolescent admissions  
13                   for drug treatment are based on marijuana use.

14                   “(B) Potency levels of contemporary mari-  
15                   juana, particularly hydroponically grown mari-  
16                   juana, are significantly higher than in the past,  
17                   rising from under 1 percent of THC in the mid-  
18                   1970s to as high as 30 percent today.

19                   “(C) Contemporary research has dem-  
20                   onstrated that youths smoking marijuana early  
21                   in life may be up to 5 times more likely to use  
22                   hard drugs.

23                   “(D) Contemporary research has dem-  
24                   onstrated clear detrimental effects in adolescent

1 educational achievement resulting from mari-  
2 juana use.

3 “(E) Contemporary research has dem-  
4 onstrated clear detrimental effects in adolescent  
5 brain development resulting from marijuana  
6 use.

7 “(F) An estimated 9,000,000 Americans a  
8 year drive while under the influence of illegal  
9 drugs, including marijuana.

10 “(G) Marijuana smoke contains 50 to 70  
11 percent more of certain cancer causing chemi-  
12 cals than tobacco smoke.

13 “(H) Teens who use marijuana are up to  
14 4 times more likely to have a teen pregnancy  
15 than teens who have not.

16 “(I) Federal law enforcement agencies  
17 have identified clear links suggesting that trade  
18 in hydroponic marijuana facilitates trade by  
19 criminal organizations in hard drugs, including  
20 heroin.

21 “(J) Federal law enforcement agencies  
22 have identified possible links between trade in  
23 cannabis products and financing for terrorist  
24 organizations.

1           “(2) EMPHASIS ON PREVENTION OF YOUTH  
2           MARIJUANA USE.—In conducting advertising and ac-  
3           tivities otherwise authorized under this section, the  
4           Director may emphasize prevention of youth mari-  
5           juana use.

6           “(k) PREVENTION OF METHAMPHETAMINE ABUSE  
7           AND OTHER EMERGING DRUG ABUSE THREATS.—

8           “(1) REQUIREMENT TO USE 10 PERCENT OF  
9           FUNDS FOR METHAMPHETAMINE ABUSE PREVEN-  
10          TION.—The Director shall ensure that, of the  
11          amounts appropriated under this section for the na-  
12          tional media campaign for a fiscal year, not less  
13          than 10 percent shall be expended solely for the ac-  
14          tivities described subsection (b)(1) with respect to  
15          advertisements specifically intended to reduce the  
16          use of methamphetamine.

17          “(2) AUTHORITY TO USE FUNDS FOR OTHER  
18          DRUG ABUSE UPON CERTIFICATION THAT METH-  
19          AMPHETAMINE ABUSE FELL DURING FISCAL YEAR  
20          2007.—With respect to fiscal year 2008 and any fis-  
21          cal year thereafter, if the Director certifies in writ-  
22          ing to Congress that domestic methamphetamine  
23          laboratory seizures (as reported to the El Paso Intel-  
24          ligence Center of the Drug Enforcement Administra-  
25          tion) decreased to at least 75 percent of the 2006

1 level, or the Director has documented a highly, sta-  
 2 tistically significant increase in a specific drug, from  
 3 a baseline determined by locally collected data, that  
 4 can be defined as a local drug crisis, the Director  
 5 may apply paragraph (1)(A) for that fiscal year with  
 6 respect to advertisements specifically intended to re-  
 7 duce the use of such other drugs.

8 “(1) AUTHORIZATION OF APPROPRIATIONS.—There is  
 9 authorized to be appropriated to the Office to carry out  
 10 this section, \$195,000,000 for each of fiscal years 2007  
 11 and 2008 and \$210,000,000 for each of fiscal years 2009  
 12 through 2011.”.

13 (b) REPEAL OF SUPERSEDED PROVISIONS.—The  
 14 Drug-Free Media Campaign Act of 1998 (21 U.S.C. 1801  
 15 et seq.) is repealed.

## 16 **TITLE VI—AUTHORIZATIONS** 17 **AND EXTENSION OF TERMI-** 18 **NATION DATE**

### 19 **SEC. 601. AUTHORIZATION OF APPROPRIATIONS.**

20 Section 714 is amended—

21 (1) by striking “title,” and inserting “title ex-  
 22 cept activities otherwise specified,”; and

23 (2) by striking “1999 through 2003” and in-  
 24 serting “2006 through 2010”.

1 **SEC. 602. EXTENSION OF TERMINATION DATE.**

2 Section 715(a) is amended by striking “September  
3 30, 2003, this title and the amendments made by this  
4 title” and inserting “September 30, 2010, this title and  
5 the amendments made to this title”.

6 **TITLE VII—ANTI-DOPING**  
7 **AGENCY**

8 **SEC. 701. DESIGNATION OF UNITED STATES ANTI-DOPING**  
9 **AGENCY.**

10 (a) DEFINITIONS.—In this title:

11 (1) UNITED STATES OLYMPIC COMMITTEE.—

12 The term “United States Olympic Committee”  
13 means the organization established by the “Ted Ste-  
14 vens Olympic and Amateur Sports Act” (36 U.S.C.  
15 220501 et seq.).

16 (2) AMATEUR ATHLETIC COMPETITION.—The  
17 term “amateur athletic competition” means a con-  
18 test, game, meet, match, tournament, regatta, or  
19 other event in which amateur athletes compete (36  
20 U.S.C. 220501(b)(2)).

21 (3) AMATEUR ATHLETE.—The term “amateur  
22 athlete” means an athlete who meets the eligibility  
23 standards established by the national governing body  
24 or paralympic sports organization for the sport in  
25 which the athlete competes (36 U.S.C. 22501(b)(1)).

1           (4) GENE DOPING.—The term “gene doping”  
2       means the nontherapeutic use of cells, genes, genetic  
3       elements, or of the modulation of gene expression,  
4       having the capacity to enhance athletic performance.

5       (b) IN GENERAL.—The United States Anti-Doping  
6       Agency shall—

7           (1) serve as the independent anti-doping organi-  
8       zation for the amateur athletic competitions recog-  
9       nized by the United States Olympic Committee;

10          (2) ensure that athletes participating in ama-  
11       teur athletic activities recognized by the United  
12       States Olympic Committee are prevented from using  
13       performance-enhancing drugs, or performance-en-  
14       hancing genetic modifications accomplished through  
15       gene-doping;

16          (3) implement anti-doping education, research,  
17       testing, and adjudication programs to prevent  
18       United States Amateur Athletes participating in any  
19       activity recognized by the United States Olympic  
20       Committee from using performance-enhancing  
21       drugs, or performance-enhancing genetic modifica-  
22       tions accomplished through gene-doping;

23          (4) serve as the United States representative  
24       responsible for coordination with other anti-doping  
25       organizations coordinating amateur athletic competi-



1        tions recognized by the United States Olympic Com-  
2        mittee to ensure the integrity of athletic competition,  
3        the health of the athletes and the prevention of use  
4        of performance-enhancing drugs, or performance-en-  
5        hancing genetic modifications accomplished through  
6        gene-doping by United States amateur athletes; and

7            (5) permanently include “gene doping” among  
8        any list of prohibited substances adopted by the  
9        Agency.

10    **SEC. 702. RECORDS, AUDIT, AND REPORT.**

11        (a) RECORDS.—The United States Anti-Doping  
12    Agency shall keep correct and complete records of account.

13        (b) REPORT.—The United States Anti-Doping Agen-  
14    cy shall submit an annual report to Congress which shall  
15    include—

16            (1) an audit conducted and submitted in ac-  
17        cordance with section 10101 of title 36, United  
18        States Code; and

19            (2) a description of the activities of the agency.

20    **SEC. 703. AUTHORIZATION OF APPROPRIATIONS.**

21        There are authorized to be appropriated to the  
22    United States Anti-Doping Agency—

23            (1) for fiscal year 2007, \$9,700,000;

24            (2) for fiscal year 2008, \$10,300,000;

25            (3) for fiscal year 2009, \$10,600,000;

(4) for fiscal year 2010, \$11,000,000; and

(5) for fiscal year 2011, \$11,500,000.

## **TITLE VIII—DRUG-FREE COMMUNITIES**

### **SEC. 801. REAUTHORIZATION.**

(a) IN GENERAL.—Section 1024(a) of the Drug-Free Communities Act of 1997 (21 U.S.C. 1524(a)) is amended—

(1) in paragraph (9), by striking “and” after the semicolon;

(2) in paragraph (10), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

“(11) \$109,000,000 for fiscal year 2008;

“(12) \$114,000,000 for fiscal year 2009;

“(13) \$119,000,000 for fiscal year 2010;

“(14) \$124,000,000 for fiscal year 2011; and

“(15) \$129,000,000 for fiscal year 2012.”.

(b) ADMINISTRATION COSTS.—Section 1024(b) of the Drug-Free Communities Act of 1997 (21 U.S.C. 1524(b)) is amended to read as follows:

“(b) ADMINISTRATIVE COSTS.—

“(1) LIMITATION.—Not more than 3 percent of the funds appropriated for this chapter may be used by the Office of National Control Policy to pay for

1 administrative costs associated with their respon-  
2 sibilities under the chapter.

3 “(2) DESIGNATED AGENCY.—The agency dele-  
4 gated to carry out this program under section  
5 1031(d) may use up to 5 percent of the funds allo-  
6 cated for grants under this chapter for administra-  
7 tive costs associated with carrying out the pro-  
8 gram.”.

9 **SEC. 802. SUSPENSION OF GRANTS.**

10 (a) IN GENERAL.—Section 1032(b) of the Drug-Free  
11 Communities Act of 1997 (21 U.S.C. 1532(b)) is amended  
12 by adding at the end the following:

13 “(4) PROCESS FOR SUSPENSION.—A grantee  
14 shall not be suspended or terminated under para-  
15 graph (1)(A)(ii), (2)(A)(iii), or (3)(E) unless that  
16 grantee is afforded a fair, timely, and independent  
17 appeal prior to such suspension or termination.”.

18 (b) REPORT TO CONGRESS.—Not later than 60 days  
19 after the date of enactment of this Act, the Director of  
20 the Office of National Drug Control Policy shall submit  
21 to Congress a report detailing the appeals process required  
22 by section 1032(b)(4) of the Drug-Free Communities Act  
23 of 1997, as added by subsection (a).

1 **SEC. 803. GRANT AWARD INCREASE.**

2 Subsections (b)(1)(A)(iv), (b)(2)(C)(i), and (b)(3)(F)  
3 of section 1032 of the Drug-Free Communities Act of  
4 1997 (21 U.S.C. 1532) are amended by striking  
5 “\$100,000” and inserting “\$125,000”.

6 **SEC. 804. PROHIBITION ON ADDITIONAL ELIGIBILITY CRI-**  
7 **TERIA.**

8 Section 1032(a) of the Drug-Free Communities Act  
9 of 1997 (21 U.S.C. 1532(a)) is amended by adding at the  
10 end the following:

11 “(7) **ADDITIONAL CRITERIA.**—The Director  
12 shall not impose any eligibility criteria on new appli-  
13 cants or renewal grantees not provided in this chap-  
14 ter.”.

15 **SEC. 805. NATIONAL COMMUNITY ANTI-DRUG COALITION**  
16 **INSTITUTE.**

17 Section 4 of Public Law 107–82 (21 U.S.C. 1521  
18 note), reauthorizing the Drug-Free Communities Support  
19 Program, is amended—

20 (1) by amending subsection (a) to read as fol-  
21 lows:

22 “(a) **IN GENERAL.**—The Director of the Office of  
23 National Drug Control Policy shall, using amounts au-  
24 thorized to be appropriated by subsection (d), make a di-  
25 rected grant to Community Anti-Drug Coalitions of Amer-

1 ica to provide for the continuation of the National Com-  
 2 munity Anti-drug Coalition Institute.”;

3 (2) by striking subsection (b) and redesignating  
 4 subsections (c) and (d) as (b) and (c), respectively;  
 5 and

6 (3) in subsection (c), as redesignated by para-  
 7 graph (2), by adding at the end the following:

8 “(4) For each of the fiscal years 2008 through  
 9 2012, \$2,000,000.”.

## 10 **TITLE IX—NATIONAL GUARD** 11 **COUNTERDRUG SCHOOLS**

### 12 **SEC. 901. NATIONAL GUARD COUNTERDRUG SCHOOLS.**

13 (a) **AUTHORITY TO OPERATE.**—Under such regula-  
 14 tions as the Secretary of Defense may prescribe, the Chief  
 15 of the National Guard Bureau may establish and operate,  
 16 or provide financial assistance to the States to establish  
 17 and operate, not more than 5 schools (to be known gen-  
 18 erally as “National Guard counterdrug schools”).

19 (b) **PURPOSE.**—The purpose of the National Guard  
 20 counterdrug schools shall be the provision by the National  
 21 Guard of training in drug interdiction and counterdrug  
 22 activities and drug demand reduction activities to per-  
 23 sonnel of the following:

24 (1) Federal agencies.

1           (2) State, local, and tribal law enforcement  
2 agencies.

3           (3) Community-based organizations engaged in  
4 such activities.

5           (4) Other non-Federal governmental and pri-  
6 vate entities and organizations engaged in such ac-  
7 tivities.

8       (c) COUNTERDRUG SCHOOLS SPECIFIED.—The Na-  
9 tional Guard counterdrug schools operated under the au-  
10 thority in subsection (a) are as follows:

11           (1) The National Interagency Civil-Military In-  
12 stitute (NICI), San Luis Obispo, California.

13           (2) The Multi-Jurisdictional Counterdrug Task  
14 Force Training (MCTFT), St. Petersburg, Florida.

15           (3) The Midwest Counterdrug Training Center  
16 (MCTC), Johnston, Iowa.

17           (4) The Regional Counterdrug Training Acad-  
18 emy (RCTA), Meridian, Mississippi.

19           (5) The Northeast Regional Counterdrug Train-  
20 ing Center (NCTC), Fort Indiantown Gap, Pennsyl-  
21 vania.

22       (d) USE OF NATIONAL GUARD PERSONNEL.—

23           (1) IN GENERAL.—To the extent provided for  
24 in the State drug interdiction and counterdrug ac-  
25 tivities plan of a State in which a National Guard

1 counterdrug school is located, personnel of the Na-  
2 tional Guard of that State who are ordered to per-  
3 form full-time National Guard duty authorized  
4 under section 112(b) of that title 32, United States  
5 Code, may provide training referred to in subsection  
6 (b) at that school.

7 (2) DEFINITION.—In this subsection, the term  
8 “State drug interdiction and counterdrug activities  
9 plan”, in the case of a State, means the current plan  
10 submitted by the Governor of the State to the Sec-  
11 retary of Defense under section 112 of title 32,  
12 United States Code.

13 (e) TREATMENT UNDER AUTHORITY TO PROVIDE  
14 COUNTERDRUG SUPPORT.—The provisions of section  
15 1004 of the National Defense Authorization Act for Fiscal  
16 Year 1991 (Public Law 101–510; 10 U.S.C. 374 note)  
17 shall apply to any activities of a National Guard  
18 counterdrug school under this section that are for an  
19 agency referred to in subsection (a) of such section 1004  
20 and for a purpose set forth in subsection (b) of such sec-  
21 tion 1004.

22 (f) ANNUAL REPORTS ON ACTIVITIES.—

23 (1) IN GENERAL.—Not later than February 1  
24 each year, the Secretary of Defense shall submit to  
25 Congress a report on the activities of the National

1       Guard counterdrug schools during the preceding  
2       year.

3               (2) CONTENTS.—Each report under paragraph  
4       (1) shall set forth the following:

5                       (A) FUNDING.—The amount made avail-  
6                       able for each National Guard counterdrug  
7                       school during the fiscal year ending in the year  
8                       preceding the year in which such report is sub-  
9                       mitted.

10                      (B) ACTIVITIES.—A description of the ac-  
11                      tivities of each National Guard counterdrug  
12                      school during the year preceding the year in  
13                      which such report is submitted.

14       (g) AUTHORIZATION OF APPROPRIATIONS.—

15               (1) IN GENERAL.—There is hereby authorized  
16       to be appropriated for the Department of Defense  
17       for the National Guard for each of fiscal years 2006  
18       through 2010, \$30,000,000 for purposes of the Na-  
19       tional Guard counterdrug schools in such fiscal year.

20               (2) CONSTRUCTION.—The amount authorized  
21       to be appropriated by paragraph (1) for a fiscal year  
22       is in addition to any other amount authorized to be  
23       appropriated for the Department of Defense for the  
24       National Guard for such fiscal year.



1 **TITLE X—NATIONAL METH-**  
2 **AMPHETAMINE INFORMA-**  
3 **TION CLEARINGHOUSE ACT**  
4 **OF 2006**

5 **SEC. 1001. SHORT TITLE.**

6 This title may be cited as the “National Methamphet-  
7 amine Information Clearinghouse Act of 2006”.

8 **SEC. 1002. DEFINITIONS.**

9 In this title—

10 (1) the term “Council” means the National  
11 Methamphetamine Advisory Council established  
12 under section 1003(b)(1);

13 (2) the term “drug endangered children” means  
14 children whose physical, mental, or emotional health  
15 are at risk because of the production, use, or other  
16 effects of methamphetamine production or use by  
17 another person;

18 (3) the term “National Methamphetamine In-  
19 formation Clearinghouse” or “NMIC” means the in-  
20 formation clearinghouse established under section  
21 1003(a); and

22 (4) the term “qualified entity” means a State,  
23 local, or tribal government, school board, or public  
24 health, law enforcement, nonprofit, community anti-  
25 drug coalition, or other nongovernmental organiza-

1       tion       providing       services       related       to  
2       methamphetamines.

3   **SEC. 1003. ESTABLISHMENT OF CLEARINGHOUSE AND AD-**  
4                   **VISORY COUNCIL.**

5       (a) CLEARINGHOUSE.—There is established, under  
6   the supervision of the Attorney General of the United  
7   States, an information clearinghouse to be known as the  
8   National Methamphetamine Information Clearinghouse.

9       (b) ADVISORY COUNCIL.—

10           (1) IN GENERAL.—There is established an advi-  
11   sory council to be known as the National Meth-  
12   amphetamine Advisory Council.

13           (2) MEMBERSHIP.—The Council shall consist of  
14   10 members appointed by the Attorney General—

15               (A) not fewer than 3 of whom shall be rep-  
16   resentatives of law enforcement agencies;

17               (B) not fewer than 4 of whom shall be rep-  
18   resentatives of nongovernmental and nonprofit  
19   organizations providing services or training and  
20   implementing programs or strategies related to  
21   methamphetamines; and

22               (C) 1 of whom shall be a representative of  
23   the Department of Health and Human Services.

24           (3) PERIOD OF APPOINTMENT; VACANCIES.—  
25   Members shall be appointed for 3 years. Any va-

1       cancy in the Council shall not affect its powers, but  
2       shall be filled in the same manner as the original ap-  
3       pointment.

4               (4) PERSONNEL MATTERS.—

5               (A) TRAVEL EXPENSES.—The members of  
6       the Council shall be allowed travel expenses, in-  
7       cluding per diem in lieu of subsistence, at rates  
8       authorized for employees of agencies under sub-  
9       chapter I of chapter 57 of title 5, United States  
10      Code, while away from their homes or regular  
11      places of business in the performance of serv-  
12      ices for the Council.

13              (B) NO COMPENSATION.—The members of  
14      the Council shall not receive compensation for  
15      the performance of the duties of a member of  
16      the Council.

17 **SEC. 1004. NMIC REQUIREMENTS AND REVIEW.**

18       (a) IN GENERAL.—The NMIC shall promote sharing  
19      information regarding successful law enforcement, treat-  
20      ment, environmental, prevention, social services, and other  
21      programs related to the production, use, or effects of  
22      methamphetamine and grants available for such pro-  
23      grams.

24       (b) COMPONENTS.—The NMIC shall include—

25              (1) a toll-free number; and

1           (2) a website that provides a searchable data-  
2       base, which—

3               (A) provides information on the short-term  
4       and long-term effects of methamphetamine use;

5               (B) provides information regarding meth-  
6       amphetamine treatment and prevention pro-  
7       grams and strategies and programs for drug  
8       endangered children, including descriptions of  
9       successful programs and strategies and contact  
10      information for such programs and strategies;

11              (C) provides information regarding grants  
12      for methamphetamine-related programs, includ-  
13      ing contact information and links to websites;

14              (D) allows a qualified entity to submit  
15      items to be posted on the website regarding  
16      successful public or private programs or other  
17      useful information related to the production,  
18      use, or effects of methamphetamine;

19              (E) includes a restricted section that may  
20      only be accessed by a law enforcement organiza-  
21      tion that contains successful strategies, training  
22      techniques, and other information that the  
23      Council determines helpful to law enforcement  
24      agency efforts to identify or combat the produc-  
25      tion, use or effects of methamphetamine;

1 (F) allows public access to all information  
2 not in a restricted section; and

3 (G) contains any additional information  
4 the Council determines may be useful in identi-  
5 fying or combating the production, use, or ef-  
6 fects of methamphetamine.

7 Thirty days after the website in paragraph (2) is oper-  
8 ational, no funds shall be expended to continue the website  
9 methresources.gov.

10 (c) REVIEW OF POSTED INFORMATION.—

11 (1) IN GENERAL.—Not later than 30 days after  
12 the date of submission of an item by a qualified enti-  
13 ty, the Council shall review an item submitted for  
14 posting on the website described in subsection

15 (b)(2)—

16 (A) to evaluate and determine whether the  
17 item, as submitted or as modified, meets the re-  
18 quirements for posting; and

19 (B) in consultation with the Attorney Gen-  
20 eral, to determine whether the item should be  
21 posted in a restricted section of the website.

22 (2) DETERMINATION.—Not later than 45 days  
23 after the date of submission of an item, the Council  
24 shall—

1 (A) post the item on the website described  
2 in subsection (b)(2); or

3 (B) notify the qualified entity that sub-  
4 mitted the item regarding the reason such item  
5 shall not be posted and modifications, if any,  
6 that the qualified entity may make to allow the  
7 item to be posted.

8 **SEC. 1005. AUTHORIZATION OF APPROPRIATIONS.**

9 There are authorized to be appropriated—

10 (1) for fiscal year 2007—

11 (A) \$500,000 to establish the NMIC and  
12 Council; and

13 (B) such sums as are necessary for the op-  
14 eration of the NMIC and Council; and

15 (2) for each of fiscal years 2008 and 2009,  
16 such sums as are necessary for the operation of the  
17 NMIC and Council.

18 **TITLE XI—MISCELLANEOUS**  
19 **PROVISIONS**

20 **SEC. 1101. REPEALS.**

21 (a) ACT.—Section 710 is repealed.

22 (b) FORFEITURE ASSETS.—Section 6073 of the As-  
23 sets Forfeiture Amendments Act of 1988 (21 U.S.C.  
24 1509) is repealed.

1 **SEC. 1102. CONTROLLED SUBSTANCES ACT AMENDMENTS.**

2 Section 303(g)(2) of the Controlled Substances Act  
3 (21 U.S.C. 823(g)(2)) is amended—

4 (1) in subparagraph (B)(iii), by striking “ex-  
5 cept that the” and inserting the following: “unless,  
6 not sooner than 1 year after the date on which the  
7 practitioner submitted the initial notification, the  
8 practitioner submits a second notification to the Sec-  
9 retary of the need and intent of the practitioner to  
10 treat up to 100 patients. A second notification under  
11 this clause shall contain the certifications required  
12 by clauses (i) and (ii) of this subparagraph. The”;  
13 and

14 (2) in subparagraph (J)—

15 (A) in clause (i), by striking “thereafter”  
16 and all that follows through the period and in-  
17 serting “thereafter.”;

18 (B) in clause (ii), by striking “Drug Addic-  
19 tion Treatment Act of 2000” and inserting  
20 “Office of National Drug Control Policy Reau-  
21 thorization Act of 2006”; and

22 (C) in clause (iii), by striking “this para-  
23 graph should not remain in effect, this para-  
24 graph ceases to be in effect” and inserting  
25 “subparagraph (B)(iii) should be applied by  
26 limiting the total number of patients a practi-

1           tioner may treat to 30, then the provisions in  
2           such subparagraph (B)(iii) permitting more  
3           than 30 patients shall not apply, effective”.

4   **SEC. 1103. REPORT ON LAW ENFORCEMENT INTELLIGENCE**  
5                   **SHARING.**

6           Not later than 180 days after the date of enactment  
7 of this Act, the Director shall submit to Congress a re-  
8 port—

9           (1) evaluating existing and planned law enforce-  
10          ment intelligence systems used by Federal, State,  
11          local, and tribal law enforcement agencies respon-  
12          sible for drug trafficking and drug production en-  
13          forcement; and

14          (2) addressing—

15                  (A) the current law enforcement intel-  
16                  ligence systems used by Federal, State, local,  
17                  and tribal law enforcement agencies;

18                  (B) the compatibility of such systems in  
19                  ensuring access and availability of law enforce-  
20                  ment intelligence to Federal, State, local, and  
21                  tribal law enforcement;

22                  (C) the extent to which Federal, State,  
23                  local, and tribal law enforcement are sharing  
24                  law enforcement intelligence information to as-



1           sess current threats and design appropriate en-  
2           forcement strategies; and

3                 (D) the measures needed to ensure and to  
4           promote effective information sharing among  
5           law enforcement intelligence systems operated  
6           by Federal, State, local, and tribal law enforce-  
7           ment agencies responsible for drug trafficking  
8           and drug production enforcement.

9   **SEC. 1104. REQUIREMENT FOR SOUTH AMERICAN HEROIN**  
10                   **STRATEGY.**

11         (a) IN GENERAL.—Not later than 90 days after the  
12         date of enactment of this Act, the Director, in coordina-  
13         tion with the Secretary of State, shall submit to Congress  
14         a comprehensive strategy that addresses the increased  
15         threat from South American heroin, and in particular Co-  
16         lombian heroin, and the emerging threat from opium  
17         poppy grown in Peru and often intended for transit to Co-  
18         lumbia for processing into heroin.

19         (b) CONTENTS.—The strategy submitted under sub-  
20         section (a) shall include—

21                 (1) opium eradication efforts to eliminate the  
22           problem at the source to prevent heroin from enter-  
23           ing the stream of commerce;

24                 (2) interdiction and precursor chemical con-  
25           trols;

1 (3) demand reduction and treatment;

2 (4) alternative development programs, including  
3 direct assistance to regional governments to demobi-  
4 lize and provide alternative livelihoods to former  
5 members of insurgent or other groups engaged in  
6 heroin, cocoa, or other illicit drug production or traf-  
7 ficking;

8 (5) efforts to inform and involve local citizens  
9 in the programs described in paragraphs (1) through  
10 (4), such as through leaflets advertising rewards for  
11 information; and

12 (6) an assessment of the specific level of fund-  
13 ing and resources necessary to simultaneously ad-  
14 dress the threat from South American heroin and  
15 the threat from Colombian and Peruvian coca.

16 (c) TREATMENT OF CLASSIFIED OR LAW ENFORCE-  
17 MENT SENSITIVE INFORMATION.—Any content of the  
18 strategy submitted under subsection (a) that involves in-  
19 formation classified under criteria established by an Exec-  
20 utive order, or whose public disclosure, as determined by  
21 the Director or the head of any relevant Federal agency,  
22 would be detrimental to the law enforcement of national  
23 security activities of any Federal, foreign, or international  
24 agency, shall be presented to Congress separately from the  
25 rest of the strategy.

1 **SEC. 1105. MODEL ACTS.**

2 (a) IN GENERAL.—The Director of the Office of Na-  
 3 tional Drug Control Policy shall provide for or shall enter  
 4 into an agreement with a non-profit corporation that is  
 5 described in section 501(c)(3) of the Internal Revenue  
 6 Code of 1986 and exempt from tax under section 501(a)  
 7 of such Code to—

8 (1) advise States on establishing laws and poli-  
 9 cies to address alcohol and other drug issues, based  
 10 on the model State drug laws developed by the  
 11 President’s Commission on Model State Drug Laws  
 12 in 1993; and

13 (2) revise such model State drug laws and draft  
 14 supplementary model State laws to take into consid-  
 15 eration changes in the alcohol and drug abuse prob-  
 16 lems in the State involved.

17 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
 18 authorized to be appropriated to carry out this subsection  
 19 \$1,500,000 for each of fiscal years 2007 through 2011.

20 **SEC. 1106. STUDY ON IATROGENIC ADDICTION ASSOCIATED**  
 21 **WITH PRESCRIPTION OPIOID ANALGESIC**  
 22 **DRUGS.**

23 (a) IN GENERAL.—

24 (1) STUDY.—The Director of the Office of Na-  
 25 tional Drug Control Policy shall request the Insti-  
 26 tute of Medicine of the National Academy of

1 Sciences to enter into an agreement under which the  
2 Institute agrees to study certain aspects of iatro-  
3 genic addiction to prescription opioid analgesics in-  
4 cluded in schedules II and III of the Controlled Sub-  
5 stances Act (21 U.S.C. 812).

6 (2) IATROGENIC ADDICTION.—In this section,  
7 the term “iatrogenic addiction” means an addiction  
8 developed from the use of an opioid analgesic by an  
9 individual with no previous history of any addiction,  
10 who has lawfully obtained and used the drug for a  
11 legitimate medical purpose by administration from,  
12 or pursuant to the prescription or order of, an indi-  
13 vidual practitioner acting in the usual course of pro-  
14 fessional practice.

15 (b) REQUIREMENTS.—The study conducted pursuant  
16 to this section shall assess the current scientific literature  
17 to determine, if possible—

18 (1) the rate of iatrogenic addiction associated  
19 with the appropriate use of prescription drugs de-  
20 scribed in subsection (a);

21 (2) the impact of iatrogenic addiction associated  
22 with the appropriate use of prescription drugs de-  
23 scribed in subsection (a) on the individual, the pre-  
24 scriber, other patients, and society in general;

1           (3) the comparative abuse liability of prescrip-  
2           tion drugs described in subsection (a) when used  
3           properly by the ultimate user for a legitimate med-  
4           ical purpose; and

5           (4)(A) what types of prospective or retrospec-  
6           tive studies should be undertaken to determine the  
7           rate of iatrogenic addiction associated with the ap-  
8           propriate use of the prescription drugs described in  
9           subsection (a); and

10          (B) a feasible timeline for conducting and re-  
11          porting such studies, should the current state of the  
12          scientific literature be insufficient to determine the  
13          rate, impact, and comparative abuse liability of pre-  
14          scription drugs described in subsection (a).

15          (c) REPORT.—Not later than 1 year after the date  
16 of enactment of this Act, the Director of the Office of Na-  
17 tional Drug Control Policy shall ensure that the agree-  
18 ment under subsection (a) provides for the submission of  
19 a report to the Congress on the status of the study con-  
20 ducted pursuant to this section.

21 **SEC. 1107. REQUIREMENT FOR STRATEGY TO STOP INTER-**  
22 **NET ADVERTISING OF PRESCRIPTION MEDI-**  
23 **CINES WITHOUT A PRESCRIPTION.**

24          Not later than 120 days after the date of the enact-  
25 ment of this Act, the Director of the Office of National

1 Drug Control Policy shall submit to Congress a strategy  
2 to stop advertisements that provide information about ob-  
3 taining over the Internet drugs (as defined in section  
4 702(3) of the Office of National Drug Control Policy Re-  
5 authorization Act of 1998) for which a prescription is re-  
6 quired without the use of such a lawful prescription.

7 **SEC. 1108. REQUIREMENT FOR STUDY ON DIVERSION AND**  
8 **INAPPROPRIATE USES OF PRESCRIPTION**  
9 **DRUGS.**

10 Not later than 90 days after the date of enactment  
11 of this Act, the Director of the Office of National Drug  
12 Control Policy, in consultation with the Secretary of  
13 Health and Human Services, shall submit to Congress a  
14 report that includes a plan to conduct a study on the ille-  
15 gal diversion and inappropriate uses of prescription drugs,  
16 including the following:

17 (1) Methods to utilize both public use surveys  
18 that are in existence as of the date of enactment of  
19 this Act and other surveys to provide appropriate  
20 baseline data on the natural history of diversion and  
21 abuse of prescription drugs that are included in  
22 schedules under the Controlled Substances Act to  
23 evaluate the extent and nature of potential problems  
24 with such use to guide corrective actions which may  
25 reduce such problems without unintentionally hin-

1       dering access to these drugs for legitimate medical  
2       purposes. Specifically, other surveys to be considered  
3       are those that address the abuse of these substances  
4       on a regional or national basis, and those that ad-  
5       dress the diversion of these substances on a regional  
6       or national basis.

7               (2) A scientifically based analysis of the relative  
8       contribution of both innate and acquired genetic fac-  
9       tors, environmental factors, psychological factors,  
10      and drug characteristics that contribute to addiction  
11      to prescription drugs.

12   **SEC. 1109. REQUIREMENT FOR AFGHAN HEROIN STRATEGY.**

13       (a) IN GENERAL.—Not later than 90 days after the  
14      date of the enactment of this Act, the Director of the Of-  
15      fice of National Drug Control Policy shall submit to the  
16      Congress a comprehensive strategy that addresses the in-  
17      creased threat from Afghan heroin.

18       (b) CONTENTS.—The strategy shall include—

19               (1) opium crop eradication efforts to eliminate  
20      the problem at the source to prevent heroin from en-  
21      tering the stream of commerce;

22               (2) destruction or other direct elimination of  
23      stockpiles of heroin and raw opium, and heroin pro-  
24      duction and storage facilities;

1           (3) interdiction and precursor chemical con-  
2       trols;

3           (4) demand reduction and treatment;

4           (5) alternative development programs;

5           (6) measures to improve cooperation and co-  
6       ordination between Federal Government agencies,  
7       and between such agencies, agencies of foreign gov-  
8       ernments, and international organizations with re-  
9       sponsibility for the prevention of heroin production  
10      in, or trafficking out of, Afghanistan; and

11          (7) an assessment of the specific level of fund-  
12      ing and resources necessary significantly to reduce  
13      the production and trafficking of heroin.

14      (c) TREATMENT OF CLASSIFIED OR LAW ENFORCE-  
15      MENT SENSITIVE INFORMATION.—Any content of the  
16      strategy that involves information classified under criteria  
17      established by an Executive order, or whose public disclo-  
18      sure, as determined by the Director or the head of any  
19      relevant Federal agency, would be detrimental to the law  
20      enforcement or national security activities of any Federal,  
21      foreign, or international agency, shall be presented to Con-  
22      gress separately from the rest of the strategy.



1 **SEC. 1110. REQUIREMENT FOR SOUTHWEST BORDER COUN-**  
2 **TERNARCOTICS STRATEGY.**

3 (a) IN GENERAL.—Not later than 120 days after the  
4 date of enactment of this Act, and every 2 years there-  
5 after, the Director of National Drug Control Policy shall  
6 submit to the Congress a Southwest Border Counter-  
7 narcotics Strategy.

8 (b) PURPOSES.—The Southwest Border Counter-  
9 narcotics Strategy shall—

10 (1) set forth the Government’s strategy for pre-  
11 venting the illegal trafficking of drugs across the  
12 international border between the United States and  
13 Mexico, including through ports of entry and be-  
14 tween ports of entry on that border;

15 (2) state the specific roles and responsibilities  
16 of the relevant National Drug Control Program  
17 agencies (as defined in section 702 of the Office of  
18 National Drug Control Policy Reauthorization Act of  
19 1998 (21 U.S.C. 1701)) for implementing that strat-  
20 egy; and

21 (3) identify the specific resources required to  
22 enable the relevant National Drug Control Program  
23 agencies to implement that strategy.

24 (c) SPECIFIC CONTENT RELATED TO DRUG TUN-  
25 NELS BETWEEN THE UNITED STATES AND MEXICO.—

1 The Southwest Border Counternarcotics Strategy shall in-  
2 clude—

3           (1) a strategy to end the construction and use  
4           of tunnels and subterranean passages that cross the  
5           international border between the United States and  
6           Mexico for the purpose of illegal trafficking of drugs  
7           across such border; and

8           (2) recommendations for criminal penalties for  
9           persons who construct or use such a tunnel or sub-  
10          terranean passage for such a purpose.

11       (d) CONSULTATION WITH OTHER AGENCIES.—The  
12 Director shall issue the Southwest Border Counter-  
13 narcotics Strategy in consultation with the heads of the  
14 relevant National Drug Control Program agencies.

15       (e) LIMITATION.—The Southwest Border Counter-  
16 narcotics Strategy shall not change existing agency au-  
17 thorities or the laws governing interagency relationships,  
18 but may include recommendations about changes to such  
19 authorities or laws.

20       (f) REPORT TO CONGRESS.—The Director shall pro-  
21 vide a copy of the Southwest Border Counternarcotics  
22 Strategy to the appropriate congressional committees (as  
23 defined in section 702 of the Office of National Drug Con-  
24 trol Policy Reauthorization Act of 1998 (21 U.S.C.  
25 1701)), and to the Committee on Armed Services and the

1 Committee on Homeland Security of the House of Rep-  
2 resentatives, and the Committee on Homeland Security  
3 and Governmental Affairs and the Committee on Armed  
4 Services of the Senate.

5 (g) TREATMENT OF CLASSIFIED OR LAW ENFORCE-  
6 MENT SENSITIVE INFORMATION.—Any content of the  
7 Southwest Border Counternarcotics Strategy that involves  
8 information classified under criteria established by an Ex-  
9 ecutive order, or whose public disclosure, as determined  
10 by the Director or the head of any relevant National Drug  
11 Control Program agency, would be detrimental to the law  
12 enforcement or national security activities of any Federal,  
13 State, local, or tribal agency, shall be presented to Con-  
14 gress separately from the rest of the strategy.

15 **SEC. 1111. REQUIREMENT FOR SCIENTIFIC STUDY OF**  
16 **MYCOHERBICIDE IN ILLICIT DRUG CROP**  
17 **ERADICATION.**

18 (a) REQUIREMENT.—Not later than 90 days after the  
19 date of enactment of this Act, the Director of the Office  
20 of National Drug Control Policy shall submit to the Con-  
21 gress a report that includes a plan to conduct, on an expe-  
22 dited basis, a scientific study of the use of mycoherbicide  
23 as a means of illicit drug crop elimination by an appro-  
24 priate Government scientific research entity, including a  
25 complete and thorough scientific peer review. The study

1 shall include an evaluation of the likely human health and  
2 environmental impacts of mycoherbicides derived from  
3 fungus naturally existing in the soil.

4 (b) STUDY.—The study required by this section shall  
5 be conducted in United States territory and not in any  
6 foreign country.

7 **SEC. 1112. REQUIREMENT FOR STUDY OF STATE PRE-**  
8 **CURSOR CHEMICAL CONTROL LAWS.**

9 (a) STUDY.—The Director of National Drug Control  
10 Policy, in consultation with the National Alliance for  
11 Model State Drug Laws, shall conduct a study of State  
12 laws with respect to precursor chemical controls.

13 (b) REPORT.—Not later than 6 months after the date  
14 of the enactment of this Act, the Director of National  
15 Drug Control Policy shall submit a report to Congress on  
16 the results of the study under subsection (a), including—

17 (1) a comparison of the State laws studied and  
18 the effectiveness of each such law; and

19 (2) a list of best practices observed with respect  
20 to such laws.

21 **SEC. 1113. REQUIREMENT FOR STUDY OF DRUG ENDAN-**  
22 **GERED CHILDREN PROGRAMS.**

23 (a) STUDY.—The Director of National Drug Control  
24 Policy shall conduct a study of methamphetamine-related

1 activities that are conducted by different Drug Endan-  
2 gered Children programs administered by States.

3 (b) REPORT.—Not later than 6 months after the date  
4 of the enactment of this Act, the Director of National  
5 Drug Control Policy shall submit to Congress a report on  
6 the results of the study under subsection (a). Such report  
7 shall include—

8 (1) an analysis of the best practices of the ac-  
9 tivities studied; and

10 (2) recommendations for establishing a national  
11 policy to address drug endangered children, based on  
12 the Drug Endangered Children programs adminis-  
13 tered by States.

14 (c) DEFINITIONS.—In this section—

15 (1) the term “methamphetamine-related activ-  
16 ity” means any activity related to the production,  
17 use, or effects of methamphetamine; and

18 (2) the term “drug endangered children” means  
19 children whose physical, mental, or emotional health  
20 are at risk because of the production, use, or effects  
21 of methamphetamine by another person.

22 **SEC. 1114. STUDY ON DRUG COURT HEARINGS IN NON-**  
23 **TRADITIONAL PLACES.**

24 (a) FINDING.—Congress finds that encouraging drug  
25 courts and schools to enter into partnerships that allow

1 students to see the repercussions of drug abuse by non-  
2 violent offenders may serve as a strong deterrent and pro-  
3 mote demand reduction.

4 (b) STUDY.—The Director of the Office of National  
5 Drug Control Policy shall conduct a study on drug court  
6 programs that conduct hearings in nontraditional public  
7 places, such as schools. At a minimum, the study shall  
8 evaluate similar programs in operation, such as the pro-  
9 gram operated in the Fourth Judicial District Drug  
10 Court, in Washington County, Arkansas.

11 (c) REQUIREMENT.—At the same time the President  
12 submits to Congress the National Drug Control Strategy  
13 due February 1, 2007, pursuant to section 706 of the Of-  
14 fice of National Drug Control Policy Reauthorization Act  
15 of 1998, the President shall submit to Congress a report  
16 on the study conducted under subsection (b). The report  
17 shall include an evaluation of the results of the study and  
18 such recommendations as the President considers appro-  
19 priate.

20 (d) DEMAND REDUCTION.—In this section, the term  
21 “demand reduction” has the meaning provided in section  
22 702(1) of the Office of National Drug Control Policy Re-  
23 authorization Act of 1998 (21 U.S.C. 1701(1)).

1 **SEC. 1115. REPORT ON TRIBAL GOVERNMENT PARTICIPA-**  
2 **TION IN HIDTA PROCESS.**

3 (a) REPORT REQUIREMENT.—The Director of the  
4 Office of National Drug Control Policy shall prepare a re-  
5 port for Congress on the representation of tribal govern-  
6 ments in the High Intensity Drug Trafficking Areas Pro-  
7 gram and in high intensity drug trafficking areas des-  
8 ignated under that Program. The report shall include—

9 (1) a list of the tribal governments represented  
10 in the Program and a description of the participa-  
11 tion by such governments in the Program;

12 (2) an explanation of the rationale for the level  
13 of representation by such governments; and

14 (3) recommendations by the Director for meth-  
15 ods for increasing the number of tribal governments  
16 represented in the Program.

17 (b) DEADLINE.—The report prepared under sub-  
18 section (a) shall be submitted not later than 1 year after  
19 the date of the enactment of this Act.

20 (c) DEFINITION.—In this section, the term “High In-  
21 tensity Drug Trafficking Areas Program” means the pro-  
22 gram established under section 707 of the Office of Na-  
23 tional Drug Control Policy Reauthorization Act of 1998  
24 (21 U.S.C. 1706)

1 **SEC. 1116. REPORT ON SCHOOL DRUG TESTING.**

2 (a) REPORT REQUIREMENT.—The Director of Na-  
3 tional Drug Control Policy shall prepare a report on drug  
4 testing in schools. The report shall include a list of sec-  
5 ondary schools that have initiated drug testing from  
6 among those schools that have attended conferences on  
7 drug testing sponsored by the Office of National Drug  
8 Control Policy.

9 (b) DEADLINE.—Not later than 120 days after the  
10 date of the enactment of this Act, the Director of National  
11 Drug Control Policy shall submit to Congress the report  
12 required under subsection (a).

13 **SEC. 1117. REPORT ON ONDCP PERFORMANCE BONUSES.**

14 (a) REPORT REQUIREMENT.—The Director of Na-  
15 tional Drug Control Policy shall prepare a report on per-  
16 formance bonuses at the Office of National Drug Control  
17 Policy. The report shall include a list of employees who  
18 received performance bonuses, and the amount of such bo-  
19 nuses, for the period beginning on October 1, 2004, and  
20 ending on the date of submission of the report.

21 (b) DEADLINE.—Not later than 120 days after the  
22 date of the enactment of this Act, the Director of National  
23 Drug Control Policy shall submit to Congress the report  
24 required under subsection (a).



1 **SEC. 1118. REQUIREMENT FOR DISCLOSURE OF FEDERAL**  
2 **SPONSORSHIP OF ALL FEDERAL ADVER-**  
3 **TISING OR OTHER COMMUNICATION MATE-**  
4 **RIALS.**

5 Section 712 is amended to read as follows:

6 **“SEC. 712. REQUIREMENT FOR DISCLOSURE OF FEDERAL**  
7 **SPONSORSHIP OF ALL FEDERAL ADVER-**  
8 **TISING OR OTHER COMMUNICATION MATE-**  
9 **RIALS.**

10 “(a) **REQUIREMENT.**—Each advertisement or other  
11 communication paid for by the Office, either directly or  
12 through a contract awarded by the Office, shall include  
13 a prominent notice informing the target audience that the  
14 advertisement or other communication is paid for by the  
15 Office.

16 “(b) **ADVERTISEMENT OR OTHER COMMUNICA-**  
17 **TION.**—In this section, the term ‘advertisement or other  
18 communication’ includes—

19 “(1) an advertisement disseminated in any  
20 form, including print or by any electronic means;  
21 and

22 “(2) a communication by an individual in any  
23 form, including speech, print, or by any electronic  
24 means.”.

1 **SEC. 1119. AWARDS FOR DEMONSTRATION PROGRAMS BY**  
2 **LOCAL PARTNERSHIPS TO COERCE ABSTI-**  
3 **NENCE IN CHRONIC HARD-DRUG USERS**  
4 **UNDER COMMUNITY SUPERVISION THROUGH**  
5 **THE USE OF DRUG TESTING AND SANCTIONS.**

6 At the end of the Act, insert the following:

7 **“SEC. 716. AWARDS FOR DEMONSTRATION PROGRAMS BY**  
8 **LOCAL PARTNERSHIPS TO COERCE ABSTI-**  
9 **NENCE IN CHRONIC HARD-DRUG USERS**  
10 **UNDER COMMUNITY SUPERVISION THROUGH**  
11 **THE USE OF DRUG TESTING AND SANCTIONS.**

12 “(a) AWARDS REQUIRED.—The Director shall make  
13 competitive awards to fund demonstration programs by el-  
14 igible partnerships for the purpose of reducing the use of  
15 illicit drugs by chronic hard-drug users living in the com-  
16 munity while under the supervision of the criminal justice  
17 system.

18 “(b) USE OF AWARD AMOUNTS.—Award amounts re-  
19 ceived under this section shall be used—

20 “(1) to support the efforts of the agencies, or-  
21 ganizations, and researchers included in the eligible  
22 partnership;

23 “(2) to develop and field a drug testing and  
24 graduated sanctions program for chronic hard-drug  
25 users living in the community under criminal justice  
26 supervision; and

1           “(3) to assist individuals described in sub-  
2           section (a) by strengthening rehabilitation efforts  
3           through such means as job training, drug treatment,  
4           or other services.

5           “(c) ELIGIBLE PARTNERSHIP DEFINED.—In this  
6           section, the term ‘eligible partnership’ means a working  
7           group whose application to the Director—

8           “(1) identifies the roles played, and certifies the  
9           involvement of, two or more agencies or organiza-  
10          tions, which may include—

11           “(A) State, local, or tribal agencies (such  
12           as those carrying out police, probation, prosecu-  
13           tion, courts, corrections, parole, or treatment  
14           functions);

15           “(B) Federal agencies (such as the Drug  
16           Enforcement Agency, the Bureau of Alcohol,  
17           Tobacco, Firearms, and Explosives, and United  
18           States Attorney offices); and

19           “(C) community-based organizations;

20           “(2) includes a qualified researcher;

21           “(3) includes a plan for using judicial or other  
22           criminal justice authority to administer drug tests to  
23           individuals described in subsection (a) at least twice  
24           a week, and to swiftly and certainly impose a known  
25           set of graduated sanctions for non-compliance with

1 community-release provisions relating to drug absti-  
2 nence (whether imposed as a pre-trial, probation, or  
3 parole condition or otherwise);

4 “(4) includes a strategy for responding to a  
5 range of substance use and abuse problems and a  
6 range of criminal histories;

7 “(5) includes a plan for integrating data infra-  
8 structure among the agencies and organizations in-  
9 cluded in the eligible partnership to enable seamless,  
10 real-time tracking of individuals described in sub-  
11 section (a);

12 “(6) includes a plan to monitor and measure  
13 the progress toward reducing the percentage of the  
14 population of individuals described in subsection (a)  
15 who, upon being summoned for a drug test, either  
16 fail to show up or who test positive for drugs.

17 “(d) REPORTS TO CONGRESS.—

18 “(1) INTERIM REPORT.—Not later than June 1,  
19 2009, the Director shall submit to Congress a report  
20 that identifies the best practices in reducing the use  
21 of illicit drugs by chronic hard-drug users, including  
22 the best practices identified through the activities  
23 funded under this section.

24 “(2) FINAL REPORT.—Not later than June 1,  
25 2010, the Director shall submit to Congress a report

1 on the demonstration programs funded under this  
2 section, including on the matters specified in para-  
3 graph (1).

4 “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
5 is authorized to be appropriated to carry out this section  
6 \$4,900,000 for each of fiscal years 2007 through 2009.”.

7 **SEC. 1120. POLICY RELATING TO SYRINGE EXCHANGE PRO-**  
8 **GRAMS.**

9 Section 703(a) (21 U.S.C. 1702(a)) is amended by  
10 adding at the end the following:

11 “When developing the national drug control policy, any  
12 policy of the Director relating to syringe exchange pro-  
13 grams for intravenous drug users shall be based on the  
14 best available medical and scientific evidence regarding  
15 their effectiveness in promoting individual health and pre-  
16 venting the spread of infectious disease, and their impact  
17 on drug addiction and use. In making any policy relating  
18 to syringe exchange programs, the Director shall consult  
19 with the National Institutes of Health and the National  
20 Academy of Sciences.”.

Passed the House of Representatives December 7,  
2006.

Attest:

*Clerk.*

109TH CONGRESS  
2D SESSION

**H. R. 6344**

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**AN ACT**

To reauthorize the Office of National Drug Control  
Policy Act.